

Appendix I
Comments Received on the
Draft Environmental Impact Statement (DEIS)

Draft Environmental Impact Statement Hearing
North/West Battery Park City Resiliency Project

Moderated by Nora Madonick
Wednesday, September 18, 2024
5:30 p.m.

Stuyvesant High School
345 Chambers Street
New York, NY 10282

Reported by: Thea Popko
JOB NO: 6888046

Page 6 1 BPCA's website at bpca.ny.gov. Take a look at the 2 resiliency page -- the sustainability and resiliency 3 page, and you'll find them there. 4 So just a little bit of background on 5 the project. The North/West Battery Park City 6 Resiliency Project is an integrated coastal flood risk 7 management project in lower Manhattan. 8 BPCA developed the project in response 9 to the devastating impact of Superstorm Sandy in lower 10 Manhattan, and in anticipation of future severe storm 11 activity and sea level rise related to global climate 12 change. 13 As part of the State Environmental 14 Quality Review Act, also known as SEQRA, BPCA has 15 prepared a draft Environmental Impact Statement, also 16 known as a DEIS. 17 It analyzes the potential environmental 18 impacts of the proposed North/West Battery Park City 19 Project. BPCA has developed this DEIS after 20 considerable input and comment during the public 21 scoping process that began in late 2022. 22 So the DEIS covers four significant 23 areas and you may want to take a look at these when 24 you go pull the documents down, if you haven't done so 25 already.	Page 8 1 One is by being here tonight, you could 2 make a verbal comment here in this room, as well as by 3 our friends online. We have about -- I don't 4 know -- 30 or 35 people who are online right now, and 5 that may increase. 6 Each person who is attending and wishes 7 to make a comment will be invited to speak for up to 8 three minutes. The questions and comments that we 9 receive today will be entered into the final 10 Environmental Impact Statement and addressed there. 11 So it is important to recognize that 12 comments and questions that are raised tonight by 13 speakers -- this is a night for hearing from the 14 public, but comments and questions will not be 15 responded to tonight. 16 You can also mail or email your -- your 17 written comments; there are two ways. One is to the 18 North/West Battery Park City Resiliency Project Team 19 at 200 Liberty Street, 24th Floor, New York 10281 or 20 by email at nwbpcrinfo@bpca.ny.gov. 21 For those of you -- and I -- and I see 22 many familiar faces here and I know that there are 23 folks online who have joined in -- in many of the 24 public meetings -- the community meetings, which have 25 been opportunities for engagement, for conversation,
Page 7 1 One, is it provides information about 2 the project, the project's purpose, and the project's 3 need, in addition to the benefits of the project. 4 Second, it will provide information about the 5 project's potential environmental impacts. 6 Third, you'll find information about 7 the project's plans to mitigate any potential 8 significant, adverse environmental impacts that have 9 been identified. And fourth, you'll find information 10 about design alternatives that have been considered 11 for the project. 12 BPCA has made the North/West Battery 13 Park City Resiliency Project DEIS available for public 14 review and comment. Again, it's available on the 15 project website if you've not looked at that yet. 16 So let's take a look at how we're going 17 to comment tonight and I'm going to go over how we 18 comment and how we participate. I'll do that now, and 19 I'll come back after Bob finishes his section and does 20 the overview, and we'll go over that in detail so 21 everybody has a chance to participate. 22 So how to comment. The public review 23 and comment period on the DEIS started on August 28, 24 2024, and it will continue through October 7th. So 25 there are several ways to comment.	Page 9 1 for discussion, for debate. 2 Tonight's public hearing will not 3 feature a question and answer session. Also, during 4 tonight's hearing, you're going to hear a range of 5 opinions. 6 And I like to suggest to people, at 7 each of these hearings, that every comment is welcome 8 and every comment is considered equally. I would ask 9 you to be polite to your neighbors and -- and other 10 community members who you may or may not agree with. 11 Every comment as well. 12 So let's talk about how to participate. 13 So after we hear from Robert White, and his overview 14 of the project, we'll open up for public comment. 15 We'll be doing -- we'll be rotating between in person 16 and online comment. 17 We'll take about five of each, and go 18 back and forth. As mentioned previously, there'll be 19 no response if you ask a question, but it will be 20 entered into the record and answered in the FEIS. 21 For anyone who has pre-registered to 22 make a comment, you'll have one opportunity and you 23 will have up to three minutes to speak. Elected 24 officials, if any are here, will receive up to five 25 minutes to state their comment or question.

Page 10 1 Recognizing that they are speaking on behalf of a 2 larger set of constituents. 3 Also, the community board and 4 neighborhood organizations will also have the 5 opportunity for one representative to give testimony 6 of up to five minutes to, speak on behalf of the 7 organization. 8 So when you come up to speak, when you 9 get to about 30 seconds before the end of your time, 10 one of the facilitators will give you a heads up that 11 it's time to wrap up and we'll appreciate your -- your 12 comments and testimony and then move on. 13 So I'll be back after Robert shares his 14 presentation, and then we will hear from you. Thank 15 you. 16 MR. WHITE: Good evening. Thank you 17 all for coming and taking the time to join us. I'm 18 Robert or Bob White. I'm with AKRF. We were the lead 19 preparers assisting the Battery Park City Authority. 20 Who was the lead agency in the 21 preparation of the Environmental Impact Statement. 22 And we were joined by AECOM and Matrix, who were 23 engineering -- who were important participants in the 24 preparation as well. 25 So I'm just going to give you a	Page 12 1 Next slide, please. 2 This is a summary of what the project 3 benefits are. As I said earlier, you know, this is a 4 coastal flood risk reduction project. It is designed 5 through the 2050s to address storms and sea level rise 6 projected to the 2050s. 7 That sea level rise is a projection of 8 two and a half feet of the current surface water 9 elevation along the Hudson River. And also to prevent 10 ponding and drainage impacts along the inland streets 11 from a simultaneous rainstorm event, up to a depth of 12 one foot. 13 In doing so, it is also a project 14 objective, as I said earlier, to enhance the public 15 open spaces -- the vital and important open spaces of 16 the waterfront along Battery Park City. 17 There's an objective to increase or 18 enhance the landscaping, and there's nearly a 30 19 percent increase in total planting coverage with the 20 project. And that includes a nearly two times, or 21 double increase, of the open space and landscaping in 22 the ferry terminal area. 23 Also, simultaneous with that is 24 diversify the planting pallet to enhance or expand 25 the -- the tree planting and vegetation and -- and
Page 11 1 background -- four or five slides on the background of 2 the project and what the purpose is and then summarize 3 the content of the EIS. 4 And just so you all know, the EIS is 5 also posted online at the Battery Park City website 6 and that'll -- the -- that'll appear in the final 7 slide, the link. 8 So what are the project objectives? 9 First and foremost, is to provide a reliable coastal 10 flood barrier system that will reduce flood risk for 11 the residents in the protected area. 12 To protect the property and the assets 13 within Battery Park City and the inland neighborhood. 14 And we have a graphic, later on, which will show you 15 the extent of the protection area. 16 In doing so, it's also a project 17 objective to enhance the open spaces and the 18 waterfront and important cultural resources of Battery 19 Park City. To preserve to the extent possible the 20 character or the accessibility, to enhance 21 accessibility and universal access. 22 And where possible enhance the open 23 space and design aesthetics of the neighborhood. 24 And -- and to avoid or minimize impacts to the 25 existing in-ground infrastructure, which is extensive.	Page 13 1 herbaceous species within the park. 2 And to improve the -- in water 3 habitats, there's going to be a lot of work in the 4 water, because the substructure and the structure is 5 along the waterfront and along the Hudson River and 6 will be disturbed. 7 So when it is replaced, the objective 8 is to provide about 1,200 linear feet, or about a 9 fifth of a mile, of -- of environmental benefits and 10 enhancements within the ecological -- or the aquatic 11 zones. 12 And ultimately it's a -- the objective 13 of the project is to provide -- also to provide 14 homeowner cost savings through flood reduction; the 15 elimination of Battery Park City from the current 16 flood -- FEMA flood zone. That will reduce the rates 17 and eliminate the need for flood protection for 18 federally backed mortgages. 19 Next slide, please. 20 This slide shows you the area that's 21 protected, and gives you some of the specifics -- I'll 22 have to lean forward a little bit so you can all hear 23 me -- give you some of the -- provide some of the 24 specifics on the numbers of buildings. There's over a 25 hundred buildings; 63 the majority of -- are

Page 14 1 residential, 22 commercial, and 20 public buildings. 2 There's approximately 25,000 residents 3 that are in the protected area. And a large number of 4 jobs, there's a large commercial core within Battery 5 Park City and the upland areas; 61,000 jobs. 6 The equivalent of 16 -- almost 16 and a 7 half billion dollars in property value. Major transit 8 centers including the World Trades -- World Trade 9 Center Hub. 10 Major and important community 11 facilities such as the Borough of Manhattan Community 12 College, the Museum of Jewish Heritage, the World 13 Trade Center Memorial, and other vital and 14 critical -- or important cultural institutions in 15 Lower Manhattan. 16 Next slide, please. 17 As I said earlier, this is a pretty 18 sizable, major construction project; it'll be 19 multi-year. So the -- the objective here is to 20 complete the project as quickly as possible and to 21 minimize the disruption to the extent possible. 22 Recognizing that this is, sort of, 23 weaving a -- you know, a flood protection project 24 through an existing community. How do you do that? 25 You try to avoid delay.	Page 16 1 This slide breaks the project into its 2 different phases. For the purposes of the EIS we've 3 identified seven Reaches, they're shown here. And you 4 can see that the -- the range of construction by Reach 5 is the south neighborhood with about 27 months of 6 construction would be the -- the fastest and would be 7 the first back online. 8 And that's balanced with the north 9 neighborhood. So along the edge of Rockefeller Park 10 and -- and I should say that Rockefeller Park won't be 11 impacted, but the work is aligned along River Terrace 12 and in the areas of Route 9A in Tribeca. 13 And it works towards the center where I 14 think the Brookfield Place, or the commercial core has 15 the longest duration of construction -- it has the 16 most complexity. 17 Next slide, please. 18 This slide is, kind of, a bulleted or 19 summary of the -- of what the EIS impact analyses 20 disclosed, in a snapshot way. We used the SEQRA 21 technical manual as our guide in these analyses. It's 22 a very -- rigorous manual in terms of the way it 23 outlines procedures and methodologies and criteria for 24 impacts within the city of New York. 25 The first column here identifies
Page 15 1 You also want to avoid delay in 2 implementing the flood protection, should a storm be 3 imminent. To shorten the overall duration of 4 construction impacts to the community. And to 5 stay -- not stay within budget -- but to contain 6 project costs and minimize escalation costs. 7 How -- how -- what will be the sequence 8 of construction? This construction will begin after 9 Wagner Park has reopened. It's projected to start 10 construction in the summer of next year. 11 It is also a project objective, and a 12 construction objective, to provide -- meaningful open 13 spaces throughout the course of construction. There 14 are sizable, extensive, and critical open spaces along 15 the waterfront. And the objective is to provide 16 compensatory open space. 17 The sequence of construction to advance 18 the protection of highest risk areas and the 19 continuous stretches of space that can be reopened the 20 soonest. 21 And to communicate consistently and 22 continually with the community throughout the 23 construction process, recognizing it's a large 24 construction project. 25 Next slide, please.	Page 17 1 the -- the SEQRA technical areas that didn't have any 2 impacts, and didn't require any specific or detailed 3 analysis, because once this project is installed, it 4 won't have a population, it won't generate employment, 5 it'll be a static structure. 6 So areas of analysis such as 7 socioeconomic -- population based areas, such as 8 socioeconomics or community facilities, solid waste; 9 it won't generate any solid waste or energy needs. 10 And it's pretty low rise structure, so it won't have a 11 shadow impact or a shadow effect on -- on the park. 12 Post-construction technical areas where 13 we -- we did a deeper dive to look at -- at -- the 14 potential impacts are identified in column two. I 15 have some slides that follow -- that go into a little 16 more discussion of what we looked at, and what the EIS 17 contains. 18 And the third column is about 19 construction. Probably, you know, half of the 20 document -- the Environmental Impact Statement is 21 dedicated to an analysis of construction impacts. 22 And we tried to consolidate the impact 23 assessments into no significant impact and temporary 24 significant impacts. And you can see in this column 25 where it's, sort of, identified that during

Page 18 1 construction, there would be these temporary, 2 significant adverse impacts that you'll find in the 3 Environmental Impact Statement. 4 Next slide, please. 5 So as I said, that second column had 6 some of these more detailed analyses. I'll just walk 7 you through what we looked at. We did a land use 8 analysis and policy analysis. 9 The system won't change land use, it 10 will be protecting land uses -- existing land uses. 11 And the -- did a policy analysis with respect to the 12 city's coastal zone management program and it -- it 13 meets the goals and objectives of the city's WRP, or 14 Waterfront Revitalization Program. 15 There would be no -- with respect to 16 open space, there'd be no quantitative change in open 17 space. It doesn't reduce the size of any open spaces 18 or recreational facilities -- facilities. And where 19 possible -- or where has been identified during the 20 outreach process, some of the recreation facilities 21 would be enhanced. 22 Hazardous materials. All projects are 23 required to do a -- a soil investigation, which was 24 done by our project team. Tested all the soils, and 25 as a result of that, there is a soil remediation and	Page 20 1 gas and climate change and also a neighborhood 2 character assessment, the summary of which was, when 3 in place this project will provide the benefit for 4 neighborhood character as a -- as a flood protection 5 system for the community. 6 Next slide, please. 7 I'll just do a quick dive into the 8 historic and cultural resource assessments. We did a 9 phase one archeology study along the entire project 10 corridor. 11 As a result of that study, there are 12 some specific areas that will need to be addressed 13 during construction. There might -- there will be 14 pre-construction, what they call phase 1B 15 investigations, and/or monitoring during construction 16 to ensure that there's no impacts on archeological 17 resources. 18 We also did an -- an assessment of 19 historic resources and an inventory of historic 20 resources along the project corridor. One of which is 21 the historic Bulkhead, which is visible within Hudson 22 River Park, but is actually buried along the edge of 23 Stuyvesant High School. 24 And it will -- there will be a need to 25 sort of shave a piece of that and cut a small portion
Page 19 1 management plan that would be implemented for the 2 handling of soils and that may be disposed of offsite. 3 There's a full analysis of water and 4 sewer infrastructure, which is looking at the -- the 5 sewer systems and the water supply systems within the 6 project area, that may be modified or need to be 7 upgraded as a result of the project. 8 And one the key items here is a pump 9 station, or pumping station, which would pump rain 10 water out or accumulated storm water from the 11 protected area to the Hudson River. Which relieves or 12 alleviates the -- the potential for any street 13 flooding or property flooding from a simultaneous rain 14 event. 15 Transportation. We looked at the 16 structure and its effects, or potential effects, on 17 sidewalks, particularly in the Tribeca area, where the 18 system is aligned along public streets, along Route 9A 19 and North Moore Street. 20 It was the conclusion that the -- the 21 system will -- it would occupy some portions of 22 the -- of the sidewalk. It wouldn't significantly 23 impact transportation operations or pedestrian 24 functions. 25 We did a full analysis of greenhouse	Page 21 1 of it to install the flood protection system. But we 2 did an outreach with the state historic presentation 3 officer -- office, and it was concluded that 4 the -- the impact on the system would be minimal 5 enough, such that there was not a significant impact 6 of the project. 7 There's also approximately 30 visual 8 diagrams within the EIS that showed view corridors and 9 changes integrating the -- integrating the flood 10 system into existing views. 11 And you'll see within the -- within the 12 EIS that -- that these corridors are maintained and 13 the system is integrated into the existing visual 14 setting. 15 Next slide, please. 16 Natural resources, we looked at both on 17 land and in water potential impacts. The on land, the 18 primary focus is the trees and the trees along the 19 corridor, both the street trees and the trees within 20 the park; the waterfront parks at Battery Park City. 21 And there's approximately -- we 22 inventoried all the trees, approximately 420 of which 23 would need to be removed due to the construction and 24 installation of the flood wall system. 25 Twenty-one of these trees are park's

Page 22 1 trees, they would be along Route 9A and/or North Moore 2 Street. Seventeen have been identified as potential 3 candidates for transplant. 4 And there is a -- a design -- a 5 landscape plan that is described in the EIS that 6 identifies 390 trees to be replanted as part of the 7 project. And the -- the authority is committed to 8 preserving the healthy trees. 9 And also to looking for additional 10 opportunities to expand that tree planting and that 11 will be described in the FEIS. And the FEIS -- I'll 12 skip ahead a little bit -- is scheduled for release 13 towards the end of the year. 14 Other areas of impact were related to 15 the aquatic zones in the river and the water quality. 16 We examined the effect of piles and in water 17 infrastructure there are several piles -- there's 18 hundreds of piles that will need to be installed to 19 support the flood barrier system. 20 So we looked at the effects of the 21 piles on the water and the fisheries and the aquatic 22 habitat and the water quality. Each of -- each of 23 those installations requires a Army Corps of Engineers 24 and DEC -- US -- USACE and DEC permit. 25 And they have -- they have been	Page 24 1 We did a very rigorous analysis of air 2 quality. I have another slide about that, that 3 follows. I'll go into more detail. Greenhouse gas 4 emissions, noise, which has been a -- a major area of 5 interest for us and concern. 6 So we wanted to make sure we did a full 7 and thorough analysis on the noise impacts and 8 neighborhood character, which is a summation of sort 9 of open space traffic and noise impacts. 10 And it's a conclusion of the EIS that 11 there would be -- because of these cumulative effects, 12 a temporary, significant impact on the neighborhood 13 character during the course of the construction 14 period. 15 Next slide, please. 16 So I mentioned air quality. We looked 17 at approximately 5,200 locations -- or monitoring 18 receptor locations where we analyze the -- the 19 dispersion of pollutants and emissions from tugboats 20 and trucks and vehicles that would be necessary to 21 construct the project. 22 We did a lot of thorough analysis 23 and -- with the construction team in terms of 24 understanding the operational characteristics of the 25 equipment.
Page 23 1 analyzed and submitted as part of a joint permit 2 application and the impacts of the additional 3 structure in the water have been identified and 4 quantified. 5 And there is a proposal to -- to 6 purchase wetland mitigation credits at Saw Mill Creek, 7 which is a -- a wetland restoration site operated by 8 the City of New York, and through the New York City 9 Economic Development Corporation that's out in Staten 10 Island. So the mitigation would be by acquiring those 11 wetland banking or mitigation credits. 12 Next slide, please. 13 As I said about half of the document 14 is -- is related to the impacts of construction. 15 We've listed here the primary areas of focus. They 16 include the temporary open space. 17 And the temporary loss, and significant 18 impacts due to loss, of accessibility of open space. 19 It will all be restored post-construction, but there 20 will be a period of construction where there will be 21 closures. 22 Transportation, including 23 the -- bringing in the materials, the employees, and 24 the potential closures -- or the closures of streets 25 and sidewalks during the course of construction.	Page 25 1 And based on that work and the review 2 with the Department of Environmental Protection, it 3 was concluded that we wouldn't exceed any of the 4 standards for particulate matter. 5 Down to the lowest micron of 2.5, and 6 the PM 2.10 analysis, as well as other gaseous 7 emissions such as nitrogen -- nitrogen dioxide and 8 carbon dioxide that come from combustion engines. 9 Next slide please. 10 Open space. It's unavoidable 11 that -- that there will need to be work in open space 12 as a result of the project and there would be 13 temporary significant impacts due to the loss of this 14 space. 15 It's an extensive construction phasing 16 coordination between -- there was, I should say 17 extensive construction phasing and coordination 18 between the -- the Authority, the design and 19 environmental teams to make every effort to reduce 20 these impacts. 21 But they are unavoidable when needing 22 to install the flood protection system. So there will 23 be temporary closures of multiple open spaces. 24 Recognizing that the Rockefeller North -- North Lawn 25 is proposed to remain open through the course of

Page 26 1 construction. 2 So there will be an open -- waterfront 3 open space available through the course of 4 construction. But as a result of our work, which 5 looks at the impacts both qualitatively and 6 quantitatively, there would be unavoidable temporary 7 significant adverse impacts that would peak in 2028. 8 I showed that phasing diagram earlier. 9 And 2028 is the year when the majority of open spaces 10 along the project corridor would be under 11 construction. 12 The Authority is looking at various 13 ways to mitigate these impacts and there will be 14 further analysis between the draft EIS and the FEIS, 15 which will be released in December. Ways to enhance 16 and expand upon or provide replacement open spaces. 17 Some of them are listed here, popup 18 parks, expanded use of the streets, closures and open 19 streets to expand upon open space, and recreational 20 opportunities during the course of construction. 21 Next slide, please. 22 Also want to recognize that there is a 23 large amount of open space in the -- in the 24 surrounding area. These include -- Wagner Park, as I 25 said, will be reopened before construction starts	Page 28 1 those -- those are -- those constraints are factored 2 into the, the flow of traffic. 3 And the result of that work was that 4 one of the two intersections in the a.m. and one of 5 two midday, all -- all analyze periods would be 6 significantly impacted, and pedestrians also in terms 7 of the MPT, because there will be sidewalk narrowings, 8 diversions, and some temporary closures. 9 We analyzed 14 sidewalk elements -- or 10 I should say 14 pedestrian elements. Pedestrians 11 include sidewalks and crosswalks. So it was a pretty 12 thorough analysis of all the sidewalk -- of all the 13 pedestrian routes within the area. 14 And several of them, up to five 15 in -- in the a.m. and p.m., would be impacted 16 and -- and approximately two in the weekday and the 17 Saturday would be impacted. 18 Next slide, please. 19 So given the -- the objective of the 20 SEQRA process is not just to disclose impacts but also 21 identified the mitigation. So we went through a full 22 mitigation analysis to as -- to document that these 23 impacts could be mitigated. 24 The traffic impacts at majority -- or 25 three of the five intersections, could be implemented
Page 27 1 along our project corridor. 2 But there are a number of open 3 space -- open spaces within Battery Park City that 4 would remain open; Rector Park, Teardrop Park. And in 5 the surrounding area that would also remain open, 6 including the battery, the adjacent Hudson River Park 7 to the north, Washington Market Park, and Liberty 8 Park. 9 Next slide, please. 10 Transportation. We did a thorough 11 examination. This graphic, on the right, shows the 12 study area and all the intersections that we analyzed. 13 We analyzed 14 intersections for the purposes of 14 understanding the impacts from construction workers 15 and truck activity during the course of construction. 16 So in total there were 14 intersections 17 that were analyzed. We identified impacts at two in 18 the morning and four in the afternoon. There's two 19 peaks, essentially, with construction worker traffic. 20 We also looked at the impacts of the 21 implementation of a maintenance and protection of 22 traffic plan, otherwise referred to in the EIS as an 23 MPT plan, which is the -- which is the -- the 24 barricades that you see in the street that reduce 25 either traffic lanes or pedestrian. So that	Page 29 1 through signal timing changes. The pedestrian impacts 2 were a little more challenging. 3 But at -- at some -- through the 4 removal -- temporary removal, I should say, of 5 decorative elements that, kind of, constrained the 6 flow of pedestrians. That the impact that one of 7 those locations could be mitigated. 8 But as a result of the work that we 9 did, there are unmitigated, significant impacts 10 resulting along Route 9A, primarily because that's the 11 primary way in and out of the -- of the work zones. 12 And several of the pedestrian locations could not be 13 mitigated. 14 And also, we recognized in the EIS that 15 the waterfront and the -- will be closed in -- in 16 segments and that will be rerouting of a bicyclist 17 that is unavoidable and that -- that's a significant 18 impact due to the loss of the -- the waterfront for 19 the biking and jogging and walking. 20 Next slide, please. 21 Noise. We did a -- a really extensive 22 analysis on the noise impact. We did a lot of 23 modeling and iterative work with the design team to 24 understand the construction equipment, how it would be 25 operated, the times of day.

Page 30 1 And the result of all that work was we 2 found these locations here that would be impacted. I 3 suppose, you know, in the context of this table, 4 there -- it's not particularly helpful except you see 5 there's different residences and addresses. 6 We do have in the EIS, a graphic that 7 shows this geographically -- where those locations 8 are. But I wanted you to know that, you know, we have 9 recognized that there would be potential significant 10 adverse impacts due to the noise emissions during the 11 course of construction -- construction. 12 I would say that our analysis was what 13 we call reasonable, worst case. And -- you know, so 14 it's looking at the -- the peak periods. So these 15 impacts aren't going to be throughout the duration of 16 the day or throughout the duration of a -- of the 17 entirety of construction, but we recognize that there 18 would be a peak period and that's what the 19 impact -- impacts are based upon. 20 And we also recognize that the 21 contractors and the construction teams will be 22 required to comply with the city's noise code and will 23 need to prepare and implement a noise mitigation plan, 24 that is reviewed by the Department of Environmental 25 Protection and -- and Department of Buildings before	Page 32 1 Next slide. 2 So this is a final slide just to give 3 you a sense of the schedule. The comment period is 4 open for written comments until October 7, 2024. It's 5 our intention to complete the FEIS in December of 6 2024. 7 The final step in the environmental 8 review process is SEQRA or State Environmental Quality 9 Review Act finding statement, which is also 10 anticipated for the middle of December of 2024. And 11 if you need the website where the DEIS can be found, 12 it's -- it's here -- it's on the Battery Park City 13 website and there's the link. 14 Next slide. 15 So thank you and thank you for taking 16 the time out to join us here tonight and for your 17 input on the environmental -- during the environmental 18 review process. I'm going to turn it back to Nora 19 to -- we'll -- and see the -- the next steps of the 20 hearing. 21 MS. MADONICK: Thank you, Bob. 22 All right. So let's get started. I'm 23 going to go back over a couple of things and then we 24 will start hearing from folks. We have a nice robust 25 list of -- of people both in -- on -- in person, as
Page 31 1 initiating their construction. 2 The next slide shows, based on our 3 impact assessment we developed with the design team an 4 extensive list of noise mitigation measures that need 5 to be implemented. These are also described in 6 greater detail in the EIS in Chapter four, in the 7 mitigation chapter. 8 I'll just summarize quickly here for 9 you what they include. You know, it's limiting the 10 operations as much as possible. No weekend or after 11 hour work with the exception of Route 9A and special 12 deliveries and weather catch up. In each -- any work 13 outside of the standard work hours requires a permit 14 from the City of New York. 15 Replacing and upgrading equipment over 16 time. It is a five year project. They're -- we're 17 expecting that there will be advances in -- in 18 muffling noise and different types of equipment with 19 lower noise emissions, that's more state of the art. 20 And as the proper maintenance of 21 equipment and mufflers that are intended to reduce 22 that noise emission. And Battery Park City is going 23 to continue to examine what other options there may be 24 and that will also be described in the final 25 Environmental Impact Statement.	Page 33 1 well as online and we want to make sure we get to 2 everybody tonight. 3 So there are multiple ways to comment. 4 If you haven't registered and you prefer to not do so 5 orally, you can mail or email a written comment to the 6 North/West Battery Park City Resiliency Team at 200 7 Liberty Street, 24th Floor, New York, New York 10281. 8 Or you can email to nwbpcrinfo@bpca.ny.gov. 9 And as a reminder to everyone, there 10 won't be a response to comments or questions that are 11 heard tonight. They will be entered into the formal 12 record and will be responded to in the final 13 Environmental Impact Statement. 14 So for those who preregistered to speak 15 tonight, you'll be seeing your names appear on the 16 screen. We'll hear from -- from people in the order 17 in which they registered. 18 And we're going to rotate in groups 19 starting with a group from online. And then we'll go 20 to a group in person, and then we'll go back and we'll 21 go forth. 22 If you are attending virtually, to 23 those who are, and if you preregistered when 24 you -- when your name is called, we will unmute your 25 microphone.

Page 34 1 For commenters who are attending in 2 person, when we call your name, we would ask that 3 either you stand and if you wish to come to the mic, 4 that's fine, or raise your hand and my colleague, 5 Jared -- Jared, waive at everybody -- will bring a 6 microphone to you and -- and you can provide your 7 comment. 8 We'd ask each commenter, whether you're 9 online or you're in person, to identify yourselves. 10 And if applicable, to tell us the organization on 11 whose behalf you are speaking at the beginning of your 12 comment. 13 I'll alert each commenter, or will do 14 so through Jared, when you have about 30 seconds left 15 in your three minute allocation for -- for comment. 16 I'll thank you for your comment at the end of the 17 three minutes and move on to the next commenter. 18 If time allows, at the conclusion of 19 hearing from all of the pre-registered speakers, we 20 may be able to hear additional comments from those who 21 did not pre-register. 22 But that doesn't mean you can't submit 23 your comment no matter what. You can do so via mail 24 and you can do so via email and I'll be repeating 25 those -- funnel those channels for you during the	Page 36 1 your full comment after tonight's hearing, via email 2 or mail, to make sure that the fullness of it and 3 everything you had to say gets entered into the 4 record. So let's get started. 5 Hopefully a little technical snafu at 6 the beginning means smooth sailing the rest of the way 7 through. Technology being what it is. I'm just going 8 to go over how you can send things via mail and send 9 them via email one more time and hopefully we will 10 have this resolved. 11 You can mail or email a written comment 12 to North/West Battery Park City Resiliency Project 13 Team at 200 Liberty Street, 24th Floor, New York 14 10281, or you can email to nwbpcrinfo@bpca.ny.gov. 15 Okay. Great. Technology is your 16 friend until it's not your friend; right? So we're 17 going to start with Loni -- Loni Passage, she is 18 online. And if someone could unmute Loni, we'd be 19 happy to hear from her. 20 We are obviously having a computer 21 challenge. I'll be back in one second. All right. 22 I'm going to switch to in person, while they're trying 23 to figure out whatever technology is happening. 24 So let's start with Suzanne Ring [ph]. 25 Suzanne? No?
Page 35 1 night. 2 If you are attending virtually and 3 you'd like to submit a comment, but you didn't 4 preregister, just click on the link that's posted in 5 your Zoom chat. 6 The link will take you to a virtual 7 form and there you can submit your name to comment. 8 Your name will then come up on the -- on the 9 registered online list. 10 If you're attending in person and you'd 11 like to submit, but didn't pre-register, please use 12 your mobile device to scan the QR code on the screen 13 and submit your name to the virtual form. 14 You may also visit the registration 15 table that is just outside this room and sign up. 16 Once registered, your name will then appear in the 17 online list. 18 We'll hear comments in the order in 19 which they are posted. And if you don't have a 20 chance -- if your -- if your comment goes beyond the 21 three minutes -- I'm going to hold to three minutes 22 out of respect for all of the speakers, to give 23 everyone an equal opportunity to speak. 24 But if your comment isn't finished by 25 the end of three minutes, I would ask that you submit	Page 37 1 All right. Maybe Suzanne will join us 2 a little later. 3 Seema [ph] Wadwa [ph]. Seema [ph]? 4 Okay. Helena Fisera. Helena, would 5 you like it brought to you or would you like to come 6 down? Up to you. Just please say your name and if 7 you are representing an organization, please say that 8 as well. 9 MS. FISERA: I'm Helena Fisera. I'm 10 just a long time resident of Battery Park. Okay. 11 Right. I was obviously extremely concerned by what 12 happened -- 13 MS. MADONICK: Jared, I can't hear her. 14 Okay. Could you please make sure that microphone is 15 working? 16 MS. FISERA: Thank you. I'm -- I was 17 extremely concerned about what happened at Wagner Park 18 and my main question would be what's going to happen 19 to those 420 trees that are going to be, I guess, 20 uprooted and do you plan on replanting them? 21 I mean, what is the -- they're just 22 being discarded. What is the idea and what does 23 actually increasing or enhancing landscaping 24 afterwards mean? Those was are both my concerns. 25 Thank you.

Page 38 1 MS. MADONICK: Thank you for your 2 comment. 3 Okay. Steven [ph] Gerzowitz [ph]. 4 Steven [ph]? 5 Okay. Yoshimasa [ph] Payara [ph]? 6 Okay. Hopefully they will send us 7 their comments in writing. Okay. We're going to go 8 back online to Lonnie Passage. Would you unmute 9 Lonnie, please? 10 Paul Rekoff [ph]? 11 Are you able to unmute Paul Rekoff 12 [ph], if he's attending? Okay. Paul is not here. 13 Tom Radinov [ph]? 14 Is Tom online? All right. Tom is not 15 here. 16 Is Vittoria [ph] Feterelo [ph] here? 17 Vittoria [ph] Feterelo [ph]? 18 Okay, I'll try one more in that group. 19 Kate Smith? Is Kate Smith attending? 20 Okay. We'll switch back to in person 21 and see if some of our friends online decide would 22 like to speak. 23 Ting Wu? 24 MS. WU: No comment. Thank you. 25 MS. MADONICK: No comment. Okay.	Page 40 1 CB 1 is aligned with the principle 2 objectives of the proposed project as stated in the 3 DEIS, which include the Battery Park City Authority's 4 commitment to one, provide a system that relies on 5 passive flood control rather than mechanical. Two, to 6 minimize the urban heat island effect. And three, 7 that the project's construction and operation be 8 achieved in an environmentally responsible matter. 9 CB 1 would like to ensure that the 10 final Environmental Impact Statement, elaborate and 11 clarifies with much detail -- more detail how these 12 principle objectives will be achieved. 13 For example, with regard to reviewing 14 the project's effects on climate change, the DEIS 15 addresses the impacts of construction. Estimating the 16 project's addition of over 44,000 metric -- tons 17 rather of CO2 into the environment. But there seems 18 to be no estimate of the effects demolition has on the 19 carbon footprint. 20 The FEIS should take into account both 21 the construction and demolition associated with the 22 project and should detail with -- what specific 23 measures are being taken and materials used to reduce 24 the project's impactful greenhouse gas emissions. 25 The FEIS should also clarify how the
Page 39 1 Alice Blank? 2 MS. BLANK: You can count on me. Okay. 3 Thank you. My name is Alice Blank and many of you 4 know me. I'm Vice Chair of Manhattan Community Board 5 1, and I'm chair of the Board's Environmental 6 Protection Committee. 7 MS. MADONICK: Alice, may I ask you, 8 are you speaking for? 9 MS. BLANK: Yes, I am. 10 MS. MADONICK: Okay. So you have five 11 minutes. 12 MS. BLANK: Okay. Well I only -- was 13 told I need three, and I hopefully going under, so 14 thank you. Manhattan Community Board 1 has been 15 reviewing the Battery Park City Resiliency Plans for 16 around nine years, issuing numerous resolutions on all 17 aspects of the south and north projects, including the 18 project's need, planning, design and community 19 impacts. 20 This past week, both Community Board 21 1's Battery Park City and Environmental Protection 22 Committees have reviewed the draft Environmental 23 Impact Statement, DEIS, for the North/West section of 24 the park. And will issue our final comments on the 25 document by the deadline on October 7th.	Page 41 1 removal of the 420 trees and the addition of the large 2 quantity of concrete walls, benches, and paving will 3 impact the urban heat island effect and how long it 4 will take to mitigate these effects. 5 The community has long asked that a 6 federal variance for the removal of the trees be 7 reconsidered and looks forward to a confirmation that 8 this can in fact be done. 9 The community also requests that the 10 Battery Park City Authority schedule the promised 11 meeting with all stakeholders to review how the 12 project will be integrated into the city, 13 state -- city, state, and federal plans that are 14 proposed along Route 9A. 15 Lastly, the community urges that the 16 final EIS include information that ensures that the 17 Battery Park City Authority Project will have no 18 harmful effects on the resiliency of neighboring areas 19 in our community. 20 Particularly those that were, unlike 21 most of Battery Park City, flooded and acutely 22 affected during Superstorm Sandy on the west side 23 north of the proposed tie-ins in North Moore Street 24 and Tribeca Canal Street. 25 Community Board 1 looks forward to

Page 42 1 providing full written comments of all aspects of the 2 DEIS and thanks the Battery Park City Authority very 3 much for their engagement with the community on this 4 critically important issue. Thank you. 5 MS. MADONICK: Thank you, Ms. Blank. 6 Steve Dougherty? 7 MR. DOUGHERTY: Hello. I just 8 have -- I have -- I -- mine's going to be a very 9 informal -- after this very like, kind of, boring 10 production we've had so far today, but -- 11 MS. MADONICK: Would you just repeat 12 your name, please, for us, and your affiliation, if 13 you have any. 14 MR. DOUGHERTY: Steve 15 Dougherty -- Steve Dougherty and I'm just a resident 16 representing my own self. 17 MS. MADONICK: Thank you. 18 MR. DOUGHERTY: And I've been a long 19 time resident down here, and I was going to say that 20 this is the first time I've been in Stuyvesant High 21 School since two nights after 911. 22 I had run from my apartment to get my 23 daughter out of -- in her school and then ran back to 24 try to get my dog and could not. So I was, like, for 25 three days -- so two -- two days and two nights I was	Page 44 1 replaced now this giant iron wall that the -- there 2 was no indication of in the very pretty renderings 3 that we saw of it. 4 But I'm getting off topic now because 5 it's -- it upsets me. And just seems that there was 6 nothing -- like the stakeholders -- you know, I'm sure 7 that if Goldman Sachs had some trees that had to be 8 removed, they'd be asked about it. 9 We were told these trees -- well they 10 say they're being removed, but I saw them, they were 11 cut down. Like living trees are just chopped off and 12 there's no -- I'm sorry, madam, but there's no 13 removing them. They're dead, they're gone. 14 And I would like to think that -- I'm 15 sorry? 30 seconds. Okay. Sorry. But I wish 16 I -- I'd also like to know who's profiting from this. 17 Were there bids let out to -- for the development of 18 this park or this reboot. And I guess that's it. 19 Thank you very much. 20 MS. MADONICK: Thank you, 21 Mr. Dougherty. 22 Okay. We're going to go back online. 23 Let's start with Kate Smith. Kate? 24 MS. SMITH: Yes, I'm here. Just a 25 moment. Can you -- can you confirm you hear me?
Page 43 1 struggling to get back here. 2 I was a nervous wreck, I was shaking, 3 and it was completely insane and I was outside of this 4 high school at four in the morning and finally came in 5 here to look for help. 6 Somebody to get down and get my dog. 7 And there was a Rabbi here and he was here from New 8 Jersey to help survivors and there weren't any. And 9 so he went and got my dog for me. 10 And it was like, you know, my hands are 11 still shaking from that experience that week. And 12 that's what -- the impact that wasn't analyzed in your 13 report here, was the effect on the people who lived 14 here. 15 And that the scars are gone -- you 16 know, not visible, but the trauma is still very 17 present. And we were suddenly faced with this 18 new -- are we going to have another trauma, where 19 people are going to have to really decide whether they 20 don't want us continue to living here anymore. 21 And a lot of people moved, some of the 22 stayed and we revived this neighborhood, and there was 23 no consideration of that. An official said that any 24 protest about what was planned for Wagner Park, which 25 was the -- it's demolition -- and we've seen what is	Page 45 1 MS. MADONICK: Yes, we can hear you. 2 MS. SMITH: Okay. Fantastic. All 3 right. Yes, I -- I don't know if you addressed this 4 already, but I -- I live at 70 Battery Place and 70 5 Battery and 50 Battery and it's a couple -- several of 6 the buildings we -- the area, where -- with 7 this -- also referred to as the blue lights, because 8 it's just so pretty. 9 And last time I -- at your last meeting 10 I had asked about the plan for the area immediately 11 behind 50 Battery and 70 Battery, leading all the way 12 up to the -- and then making that corner and leading 13 up to -- to the -- goodness. I'm sorry -- it's -- or 14 basically behind these two buildings. 15 I'm -- I'm very concerned that it's 16 going to be ripped out and it's absolutely beautiful. 17 It's -- obviously a lot of attention was paid to its 18 design and it attracts tourists here all the time. 19 I -- I, again, I'm here right now and the place is 20 teeming with activity. 21 If -- can you tell me is there a plan 22 to redesign this area as well? Because right now it's 23 already multilevel. I -- I think it probably already 24 meets the form the criteria that you're looking to 25 achieve elsewhere. But the -- I am asking the

Page 46 1 question. Thank you. 2 MS. MADONICK: Thank you. 3 Let's go to Anthony Capola [ph], also 4 online. 5 Mark Greenwald? Is Mark available 6 online? 7 Jeff Galloway? 8 MR. GALLOWAY: Can you hear me now? 9 MS. MADONICK: Yes, we can hear you 10 Jeff. 11 MR. GALLOWAY: Thank you. My name's 12 Jeff Galloway. I'm resident of the Gateway Apartments 13 that are immediately adjacent to Reaches 5 and 6. 14 Although I serve on Community Board 1, as well as 15 Gateway Tenants Association. I'm speaking only on 16 behalf of myself and not on behalf of these 17 organizations. 18 The project description, as well as 19 some of the supporting materials such as the Coastal 20 Modeling Report and the appendices, do a very good job 21 of setting out the need for the project and the 22 technical basis for some of the physical aspects of 23 the project, including the flood wall. 24 And I'd like to thank the Authority for 25 taking leadership role in protecting lower Manhattan	Page 48 1 with a phone number, and some means of getting into 2 contact online in a real time basis. 3 So that residents can reach out if they 4 have any issues during construction, or if they 5 believe that some of the promised mitigation measures 6 are not being implemented. 7 We also need constant communication 8 from the project team, during construction giving 9 notice in advance of disruptive work so that people 10 can take steps to deal with it. 11 Yes, people may know there's going to 12 be pile driving or whatever it is in theory, but they 13 may not know that it's going to be next week. So 14 continual updates are very important. 15 In terms of the duration, I want to 16 state the obvious, five years is a long time and 17 certain aspects will take five years. And when you 18 think of it in terms of the children living in Battery 19 Park City or for that matter of the seniors. The 20 kids, five years is a significant chunk of the rest of 21 their childhood. And for seniors like me, it's a 22 significant chunk of the rest of your life. 23 And so any and everything that can be 24 done to, to try to shrink that duration time, without 25 intensifying the impact along the way, really should
Page 47 1 from the increased risks of coastal storms and sea 2 level rise. 3 I wanted to address two comments -- or 4 two subjects on the draft EIS tonight, one is the 5 construction impacts and the other is the element of 6 operations. 7 Regarding the construction impacts, the 8 draft EIS does a good job of identifying impacts, but 9 it has considerably less detail on how those impacts 10 are going to be mitigated. And those -- and -- and 11 detailed descriptions of mitigation really needs to be 12 in the final EIS. 13 The construction impacts have at least 14 two broad categories and one is just the duration of 15 the project and the other is the intensity of the 16 impacts. And in particular noise and vibration is 17 going to be very significant for all of the 18 residential buildings that are adjacent to the 19 project. 20 And so really every conceivable measure 21 needs to be taken to mitigate noise and vibration 22 impacts. And those mitigation measures need to be 23 described in detail in the final EIS. 24 Also during construction, residents and 25 visitors made a -- a point of contact with the project	Page 49 1 be done. 2 And in terms of the public park space 3 that's being consumed during construction, I -- I 4 commend the Authority in trying to use imaginative 5 measures to look for other alternative spaces for 6 public use. And that needs to be -- 7 MS. MADONICK: Mr. Galloway, I want to 8 thank you for your comment, but we're going to close 9 and you -- you've gotten to your three minutes. We 10 really appreciate your comment. If you would like to 11 submit the remainder of your comment, please do so 12 either by mail or via email. Thank you. 13 Is Carolyn Cartwright [ph] available? 14 It's another online. I should say we 15 have no other in-person registrants to speak. I want 16 to make sure that's correct. We have none in the 17 system. 18 Buff Kavelman? 19 Okay. I'm going to keep going with the 20 online that we have registered. That -- was that 21 Caroline -- Carolyn? 22 MS. KAVELMAN: No, this is Buff 23 Kavelman. 24 MS. MADONICK: Great. Okay. Buff, 25 you're on.

Page 50 1 MS. KAVELMAN: I really appreciated 2 Jeff Galloway's questions and I'd like to add one that 3 I think relates to them. I'd like to understand what 4 is the impact on transportation for this neighborhood 5 during the period. 6 Especially the M9 and M20 buses and the 7 Downtown Alliance Connection bus, as well as any car 8 services and means that we have to get in and out of 9 the area. Thank you. 10 MS. MADONICK: Thank you. Is that the 11 end of your comment as well? 12 MS. KAVELMAN: Yeah. 13 MS. MADONICK: All right. 14 MS. KAVELMAN: That's it for now. 15 MS. MADONICK: Thank you. 16 So let me go on to Beth Coleman. Beth? 17 Okay. I'm going to keep going. Just 18 want you to know that the people that were calling on 19 are people who registered to speak and so we make 20 available this time. 21 They may have chosen to switch to 22 submitting their comment in writing or via email or in 23 some other way, but we just go through the list and 24 make sure everybody has the -- the time that they 25 asked for.	Page 52 1 However, the pumping station that 2 you're putting in is designed to transport the surface 3 water that falls behind the resiliency, that you're 4 putting in. And as the gentleman said, in the case of 5 a dual effect that have rain water and tidal surges. 6 It's going to flush that into the 7 Hudson River Park Estuarine Sanctuary, which we worked 8 for 20 years to get to be a protected estuarine 9 sanctuary through New York State. 10 And I didn't see any assessments of the 11 water quality long term. The -- the impact on 12 fisheries or water quality in that bay or the impact 13 on the sailing vessels that have now moored there. 14 How many will have to be relocated? 15 The impact of water quality surge, if 16 you will, or surface water contaminated with oil and 17 detritus off the street, would have -- it's coming out 18 in -- I think it's -- and it's again, 078, the sewer 19 outfall, right into the estuary. 20 And this part of the sanctuary is in 21 the corner. There's not a lot of circulation. So I 22 think it's the worst place to be vacating all of this 23 water into the Hudson River. And I'm wondering if the 24 final EIS might look at this impact, because I think 25 it was omitted -- not on purpose, I'm sure.
Page 51 1 Tom Fox, also online. Affiliated with 2 the Hudson River Park Advisory Committee and the City 3 Club of New York. Tom Fox, are you available online? 4 MR. FOX: I am here. Can you hear me? 5 MS. MADONICK: Welcome. 6 MR. FOX: Thank you for the opportunity 7 to speak. 8 MS. MADONICK: Tom, are you speaking 9 for the organization? 10 MR. FOX: I'm -- yes, because the 11 resolution will be coming from Hudson River Park 12 Advisory Council and one from the City Club of New 13 York regarding this variation. 14 MS. MADONICK: All right. Understood. 15 You have, then, five minutes. 16 MR. FOX: Thank you. I don't think I 17 need as much, but I appreciate that. The -- we find 18 the DEIS basically insufficient, it that it neglects 19 to look at water quality. 20 And water quality, I mean water quality 21 in the Hudson River Park Estuarine Sanctuary. You did 22 assess the sewer water impacts, but you looked at the 23 piles -- the construction piles and the impact of that 24 on fisheries and such, and was no -- no significant 25 impact.	Page 53 1 And secondarily, if the plan might 2 include -- you are extending the Bulkhead of the wall 3 over Battery Park City, at Stuyvesant on the 4 north -- northend, would it be possible rather than 5 just dumping this sewage into Hudson River Park 6 Estuarine Sanctuary, to run a pipe to the Hudson 7 River? 8 Well, first they would send it to the 9 sewer treatment plant to be properly treated before 10 it's disposed of in our water, but that would be 11 a -- a primary mitigation. But secondarily, if you're 12 going to vacate the water into the Hudson River, don't 13 do it in this uncirculating, corner of the Estuarine 14 Sanctuary. 15 Run the pipe out to the Bulkhead of 16 Battery Park City and vacate in the main flow of the 17 Hudson River, where it can be distributed more quickly 18 and deluded more -- and not affect the Estuarine 19 Sanctuary, which is -- 20 MS. MADONICK: Thank you. 21 MR. FOX: -- designated as a sanctuary 22 for a reason. Thank you very much for the 23 opportunity. 24 MS. MADONICK: Thank you. 25 I'm going to move on to David Caparale,

Page 54 1 affiliated with Tribeca Sailing. David? 2 MR. CAPORALE: Hi. How are you? Can 3 you hear me? 4 MS. MADONICK: Yes. David, can you 5 tell me, are you representing Tribeca Sailing? 6 MR. CAPORALE: I'm -- I'm a business 7 owner in North Cove Marina and I live in Gateway, so 8 yes. 9 MS. MADONICK: Okay. So representing 10 an organization you have five minutes to speak. So 11 thank you. 12 MR. CAPORALE: Okay. I won't need it, 13 but thank you. 14 MS. MADONICK: Yep, you have the floor. 15 MR. CAPORALE: I'm also 16 officially -- unofficially representing seven maritime 17 businesses North Cove Marina. My question is very 18 simple, will we be able to get another season in North 19 Cove for 2025? A full season is from April until 20 November or October. And that's my whole question. 21 Thank you. 22 MS. MADONICK: Thank you. 23 Move on to Michelle Ashkin. Michelle? 24 Also online. 25 MS. ASHKIN: Hello.	Page 56 1 easy -- to make it easier to get machinery in. 2 And while I understand that, you're 3 taking out unnecessarily, I think, a number of trees 4 that are mature, beautiful, healthy trees, which we 5 love and covet in this area. 6 So I think that's something we need 7 to -- to revisit. If they are not within the 15 foot 8 variance -- you know, area, then why -- why can't we 9 keep them? Why can't we figure out a way to at least 10 keep some of them in place without destroying all of 11 them? 12 I also wanted to make a comment about 13 the wildlife, because of course nobody speaks about 14 the wildlife. And I'm very concerned about what's 15 going to happen to the animals that live here when we 16 take away every tree that they need, all the food 17 sources that they need, all the areas that they need 18 to either bury or find food. 19 What are we going to do? We have 20 many -- many squirrels and of course tons of birds. 21 Birds hopefully they can fly off and find other places 22 to nest. Squirrels have no place to go. 23 I don't know who else lives here, but 24 certainly we have squirrels. And while people may not 25 care about squirrels when they say they're just
Page 55 1 MS. MADONICK: Good evening, Michelle. 2 Happy to have you. 3 MS. ASHKIN: Hi -- hi. Thank you for 4 the opportunity. I have a few -- just a few quick 5 things. Regarding the trees I've been -- I've been 6 discussing the trees for -- at all the meetings, but 7 one of the speakers did bring up the variance issue. 8 And I would like to say that I have 9 personally gone and looked at all of the trees, in 10 this area -- I live on Rector Place -- all the trees 11 from -- I guess, from -- that -- that lined the 12 promenade along Rector and beyond. 13 There are many trees, not all of them 14 of course, but there are many trees that, at the 15 moment, are 15 feet -- are well beyond -- probably 16 beyond maybe -- I have to go measure, but they're 17 beyond the 15 feet. 18 And when I brought this point up on one 19 of the walks, it became, kind of, clear to me that 20 while that might be the case, it is difficult to get 21 machinery in and that the -- if -- you know, if you 22 have a tree here and there. 23 And so my understanding when -- when I 24 walked away from that was that, you know what they're 25 doing the equivalent of a clear cut to make it	Page 57 1 squirrels, they're living beings. They are our 2 wildlife. They gave many of us solace after 911 when 3 they finally returned. 4 And we have no -- we have, sort of, a 5 moral obligation I think, not to destroy everything. 6 There are ways we can mitigate some of this for them. 7 I would like to -- I'll write that into my comments. 8 And the last thing I want say, very 9 quickly, is that what I don't understand is 10 it -- how -- how are we doing -- and I really don't 11 understand how are we doing -- how are we doing any 12 work, like the work that's being done right now at 13 Archer Place or -- to prep for the pump, when we don't 14 even have a final Environmental Impact Statement; 15 right? 16 So we -- we don't even know if -- I 17 mean, I don't understand all the legalities, but I 18 would think that we shouldn't have gone forward with 19 the work now, until we have a final Environmental 20 Impact Statement for the whole project. 21 And that's, kind of, where I'll leave 22 it. Thank you very much. 23 MS. MADONICK: Thank you, Ms. Ashkin. 24 That concludes the registered speakers, 25 but it doesn't conclude your opportunity to speak. So

Page 58 1 if you are attending in person and you would like to 2 submit a comment and did not pre-register. 3 You have two choices. We have a table 4 outside this hearing room where you can go register 5 and we will be happy to hear what you have to say or 6 you can scan the QR code that's on the screen and 7 submit your name in the virtual room. 8 If you are attending online and you 9 also did not pre-register, you can just click on the 10 link that's posted in the Zoom chat and that link will 11 take you to a virtual form where you can submit your 12 name to comment. 13 Your name will then appear on the 14 online list. We'll keep checking to see if any of the 15 folks who had registered to speak come on online. And 16 then we will of course go to hear them speak. 17 So other than that, I am going to come 18 back every so often and tell you how to submit your 19 comment in writing or whether you want to do it via 20 mail or you want to do it via email. And we will 21 start -- if I can find my list. 22 If you wish to send your written 23 comment by mail, you can do so to North/West Battery 24 Park City Resiliency Project Team at 200 Liberty 25 Street, 24th Floor, New York, New York 10281. Or you	Page 60 1 they're backing up "Beep, beep, beep." 2 There's going to be a lot of dust, 3 they're going to be vibrations, and if -- if this is 4 going to be years, then the people who live anywhere 5 near River Terrace, it sounds like it -- it's going to 6 make living there practically unlivable with such high 7 noise levels every day. 8 I don't know if that's going to happen, 9 but that's what it sounds like. So I'm hoping that 10 there's some -- there's going to be some comments 11 about the noise levels. 12 And what kind of construction equipment 13 are going to be out there over this extended period 14 and whether there's any compensation for the people 15 who live near River Terrace. Thank you. That's my 16 comment. 17 MS. MADONICK: Thank you. 18 So just a reminder for those online and 19 anyone in person who wants to comment. Comments that 20 are made tonight, questions that are raised tonight, 21 will be addressed in the final Environmental Impact 22 Statement. 23 They're all being entered into 24 the -- the document documentation. The final 25 Environmental Impact Statement is expected to be
Page 59 1 can email it, if you prefer, to 2 nwbpcrinfo@bpca.ny.gov. 3 So again, there's a registration table 4 outside of this hearing room, and if you would like to 5 speak, please go register and we will be happy to 6 listen to what you have to say. 7 So to anyone who's online, there's 8 plenty of time to -- to come in and speak. Even if 9 you were registered before but weren't available then 10 if you become available, we'd be happy to hear from 11 you. 12 We will be keeping the lines open until 13 eight o'clock when this is -- this hearing is 14 scheduled to close. Feel free to -- to place a -- a 15 registration in the link. If you click the link in 16 the chat, we can get you online. 17 So we have an online registrant. I'd 18 like to hear from Kathleen Keenan. Kathleen? 19 MS. KEENAN: Hi. Can you hear me? 20 MS. MADONICK: Yes, we can. 21 MS. KEENAN: You can? I have a comment 22 about noise, because this is a very big construction 23 project. And I was thinking about what kind of noise 24 are we going to hear? Jack hammers, compressors, pile 25 drivers, truck noise -- that wonderful sound when	Page 61 1 released in early 2025, but they will not be responded 2 to tonight. 3 So again, if anyone else online would 4 like -- and has not preregistered and would like to 5 make a comment as our last commenter did, just click 6 on the link that's posted in the Zoom chat. 7 It will take you to a virtual form and 8 you'll be able to submit your name in order to comment 9 and your name and will then show up in the -- in the 10 queue. 11 So online we have a commentor, Karie 12 Parker Davidson. Karie, if we've unmuted you, could 13 you announce yourself? 14 MS. PARKER DAVIDSON: Thank you. I 15 noticed in the transportation exhibit that the 16 analysis on the impact of narrowing sidewalks and the 17 volume of use of cycles and pedestrians in 18 their -- in -- in that space. 19 The analysis talks about the fact that 20 there's still a smaller but clear path provided, but 21 it does not share what the density of usage is within 22 those clear paths. 23 So if you are reducing the operative 24 area for mobility, it's not enough to just say what 25 the revised clear path is. It needs to have a density

Page 62 1 analysis. So I would like to see the impact on -- the 2 Environmental Impact Study address the density of 3 traffic within those narrowed paths. Thank you. 4 MS. MADONICK: Thank you, Ms. Parker 5 Davidson. 6 Another online commentator. We have 7 Bill Weidner. Bill, if you're unmuted, could you 8 announce yourself please? Bill Weidner? Bill, you've 9 been -- you are unmuted on the system, but we're not 10 able to hear you. 11 You know, sometimes if you turn your 12 sound off and then on again, that helps. And if not, 13 then jumping off and logging back in can help. And we 14 certainly will be here to hear from you. 15 MR. WEIDNER: Can you hear me now? 16 MS. MADONICK: Yes, we can hear you. 17 MR. WEIDNER: Yeah, I -- I had my -- I 18 had the microphone hooked up, I don't know why you 19 couldn't hear me when I talked. 20 MS. MADONICK: That's okay. 21 MS. SMITH: So I changed it to a 22 different microphone. All right. So my names Bill 23 Weidner. I live in Gateway for the last forty years. 24 And I'm talking about this from a residential 25 occupancy point of view.	Page 64 1 So we've added a few previously, not 2 registered online commenters. And if others who are 3 online are thinking they'd like to share a comment or 4 a question, all you need to do is to click on the link 5 that's posted in the Zoom chat. 6 The link will take you to a virtual 7 form where you can submit your information to comment. 8 Your name will then show up in the queue that is on 9 the screen and we will get your comment entered. 10 For anyone who has provided comments or 11 asked questions during tonight's public hearing, they 12 will be addressed in the FEIS, the final Environmental 13 Impact Statement and will be entered into the 14 documentation. 15 We had many registrants to speak, who 16 perhaps have chosen not to speak tonight, but they may 17 still want to submit their comment. And you can do so 18 in writing. 19 If you prefer, you can mail your 20 comment to the North/West Battery Park City Resiliency 21 Project Team at 200 Liberty Street, 24th Floor, New 22 York, New York 10281. Or if you prefer to use email, 23 you can email it at nwbpcrinfo@bpca.ny.gov. 24 So we still have about 35 people 25 online. And if any of you would like to comment but
Page 63 1 Residential occupancy in the area is 2 either rental, condominium, or co-op -- condominium 3 and co-op meaning ownerships and rentals of course 4 being tenancy. 5 Now without even looking at the 6 business side, which it should be included on some 7 level as well. This project should include a 8 significant tax abatement for co-ops and condominiums. 9 And it also should include some kind of 10 subsidy for what everyone who's going to be dealing 11 with now, with their rental property. And it should 12 not be borne, for the rental properties, by the owner 13 of the rental property. 14 It should be borne by the city, state, 15 or the federal government or -- or whoever it is that 16 would be doing such -- such a -- an abatement. So 17 that it could be passed along to the tenants and we 18 can continue to live here and deal with the 19 significant noise and the significant time that this 20 is going to take. 21 And what's happening is it's pretty 22 much taking away every aspect of why we live here and 23 so we need to be compensated for that. That's my 24 time. Thank you. 25 MS. MADONICK: Thank you.	Page 65 1 you didn't pre-register, please just click on the link 2 that's posted in the Zoom chat and it will take you to 3 a virtual form, where you can submit your name to 4 comment. Your name will then appear in the online 5 list. And we'll work with you to help you with you 6 microphone if you have a challenge with it. 7 So we have about ten minutes left in 8 this hearing to hear verbal comments, but I want to 9 remind you that the comment period will close October 10 7th. The public review and comment period on the DEIS 11 started August 28, 2004, and will close October 7, 12 2004. 13 If you don't wish to comment verbally 14 tonight, you can certainly do so by mailing or 15 emailing a written comment to North/West Battery Park 16 City Resiliency Project Team at 200 Liberty Street, 17 24th Floor, New York, New York 10281, or by email at 18 nwbpcrinfo@bpca.ny.gov. 19 And again, if you change your mind and 20 would like to get your comment in verbally tonight, 21 all you need to do, if you're attending virtually, is 22 to click on the link that's posted in the Zoom chat 23 and submit your name to the online form. It will then 24 appear in the online list and we will get you online 25 right -- right away to speak.

Page 66 1 I want to correct myself, I understand 2 I misspoke on a year. The public review and comment 3 period on this DEIS began August 28, 2024. And will 4 close on October 7, 2024. 5 So we have about five minutes left 6 until eight o'clock, when we'll close this 7 portion -- the -- this public hearing. I want to make 8 sure if anyone wants to speak, we still have time for 9 comments. 10 And if you'd like -- if you'd like to 11 speak tonight, just click on the link that's posted in 12 the Zoom chat. It will take you to a virtual form 13 where you can submit your name to comment. Your name 14 will then appear in the queue and we'll get you 15 online. 16 If your preference is to submit your 17 comments in writing, you can do so either by mail or 18 by email. If you do so by mail, please send them to 19 North/West Battery Park City Resiliency Project Team 20 200 Liberty Street, 24th Floor, New York, New York 21 10281. 22 Or you can send it via email at 23 nybpcrinfo@bpca.ny.gov. You can also review the DIS 24 and other project documents on the website at 25 bpca.ny.gov.	Page 68 1 attend meetings and see where else we go from here. 2 Thank you. 3 MS. MADONICK: Thank you, 4 Mr. Greenwald. 5 So we're at eight o'clock, at the close 6 of tonight's hearing. I want to remind you that if 7 you would like to submit comments, you can do so in 8 writing after the hearing via email at 9 nwbpcrinfo@bpca.ny.gov. 10 Or by mail to North/West Battery Park 11 City Resiliency Project Team at 200 Liberty Street, 12 24th Floor, New York, New York 10281. I want to thank 13 you for attending tonight's hearing. Comments will be 14 accepted until October 7, 2024. This hearings now 15 closed. 16 (Whereupon, the hearing concluded at 17 8:01 p.m.) 18 19 20 21 22 23 24 25
Page 67 1 I understand there's a person by the 2 name of MG, online, who would like to speak. Would 3 you please enter your full name so that we can get you 4 online? Mark Greenwald. Is that Mark Greenwald? 5 MR. GREENWALD: Okay. Can you hear me 6 now? 7 MS. MADONICK: Yes, we can. 8 Mr. Greenwald, you get the last comment tonight. 9 MR. GREENWALD: Good. Okay. I had 10 trouble trying to figure out how unmute, but anyway. 11 I'm concerned about the restaurants in the marina area 12 and how they will be impacted if they stay open. 13 And I want to -- in support of what 14 other members said, I'm a shareholder, we purchased 15 here two years ago on River Terrace -- 20 River 16 Terrace, and very concerned about the quality of life 17 in the next five years. 18 I'm a senior, it is a significant part 19 of my life. And I moved here for the beauty. No idea 20 of what I was buying into with this project. And I 21 feel also that in terms of abatements and costs of 22 maintaining our property, with the quality of life 23 coming down to the spirit of life. 24 I would like that to be addressed and I 25 think that's about it for now. I'll continue to	Page 69 1 CERTIFICATE 2 I, THEA POPKO, the officer before whom the 3 foregoing proceedings were taken, do hereby certify 4 that any witness(es) in the foregoing proceedings, 5 prior to testifying, were duly sworn; that the 6 proceedings were recorded by me and thereafter reduced 7 to typewriting by a qualified transcriptionist; that 8 said digital audio recording of said proceedings are a 9 true and accurate record to the best of my knowledge, 10 skills, and ability; that I am neither counsel for, 11 related to, nor employed by any of the parties to the 12 action in which this was taken; and, further, that I 13 am not a relative or employee of any counsel or 14 attorney employed by the parties hereto, nor 15 financially or otherwise interested in the outcome of 16 this action. 17 18 19 20 21  22 THEA POPKO 23 Notary Public in and for the 24 State of New York 25

1 CERTIFICATE OF TRANSCRIBER

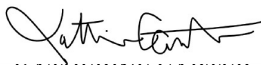
2 I, KATHERINE CARTER, do hereby certify that
3 this transcript was prepared from the digital audio
4 recording of the foregoing proceeding, that said
5 transcript is a true and accurate record of the
6 proceedings to the best of my knowledge, skills, and
7 ability; that I am neither counsel for, related to,
8 nor employed by any of the parties to the action in
9 which this was taken; and, further, that I am not a
10 relative or employee of any counsel or attorney
11 employed by the parties hereto, nor financially or
12 otherwise interested in the outcome of this action.

13

14

15

16



17 KATHERINE CARTER

18

19

20

21

22

23

24

25

0	2024 1:8 7:24	5	able 34:20
078 52:18	32:4,6,10 66:3	5 3:4 46:13	38:11 54:18
1	66:4 68:14	5,200 24:17	61:8 62:10
1 2:20 39:5,14	2025 54:19	50 45:5,11	absolutely
40:1,9 41:25	61:1	5:30 1:9	45:16
46:14	2028 26:7,9	6	accepted 68:14
1's 39:21	2050s 12:5,6	6 46:13	access 11:21
1,200 13:8	22 14:1	61,000 14:5	accessibility
10 3:5	24th 8:19 33:7	63 13:25	11:20,21 23:18
10281 8:19	36:13 58:25	68 3:7	accomplish 5:5
33:7 36:14	64:21 65:17	6888046 1:21	account 40:20
58:25 64:22	66:20 68:12	7	accumulated
65:17 66:21	25,000 14:2	7 32:4 65:11	19:10
68:12	27 16:5	66:4 68:14	accurate 69:9
10282 1:14	28 7:23 65:11	70 45:4,4,11	70:5
14 27:13,16	66:3	7th 4:22 7:24	achieve 45:25
28:9,10	3	39:25 65:10	achieved 40:8
15 55:15,17	30 8:4 10:9	8	40:12
56:7	12:18 21:7	8:01 68:17	acquiring
16 14:6,6	34:14 44:15	9	23:10
18 1:8	30630 69:21	911 42:21 57:2	act 6:14 32:9
1b 20:14	30764 70:16	9a 16:12 19:18	action 69:12,16
2	32 3:6	22:1 29:10	70:8,12
2.10 25:6	345 1:13	31:11 41:14	activity 6:11
2.5 25:5	35 8:4 64:24	a	27:15 45:20
20 14:1 52:8	390 22:6	a.m. 28:4,15	actually 20:22
67:15	4	abatement 63:8	37:23
200 8:19 33:6	4 3:3	63:16	acutely 41:21
36:13 58:24	420 21:22	abatements	add 50:2
64:21 65:16	37:19 41:1	67:21	added 64:1
66:20 68:11	44,000 40:16	ability 69:10	addition 7:3
2004 65:11,12		70:7	40:16 41:1
2022 6:21			additional 4:24
			22:9 23:2
			34:20

address 12:5 47:3 62:2 addressed 8:10 20:12 45:3 60:21 64:12 67:24 addresses 30:5 40:15 adjacent 27:6 46:13 47:18 adjourn 3:7 advance 15:17 48:9 advances 31:17 adverse 7:8 18:2 26:7 30:10 advisory 2:11 51:2,12 aecom 10:22 aesthetics 11:23 affect 53:18 affected 41:22 affiliated 51:1 54:1 affiliation 42:12 afternoon 27:18 agency 10:20 ago 67:15 agree 9:10 ahead 22:12	air 24:1,16 akrf 2:5 5:4,20 10:18 alert 34:13 alice 2:19 39:1 39:3,7 aligned 16:11 19:18 40:1 alleviates 19:12 alliance 50:7 allocation 34:15 allows 34:18 alternative 49:5 alternatives 7:10 amount 26:23 analyses 16:19 16:21 18:6 analysis 17:3,6 17:21 18:8,8 18:11 19:3,25 24:1,7,22 25:6 26:14 28:12,22 29:22 30:12 61:16,19 62:1 analyze 24:18 28:5 analyzed 23:1 27:12,13,17 28:9 43:12 analyzes 6:17 animals 56:15	announce 61:13 62:8 answer 9:3 answered 9:20 anthony 46:3 anticipated 32:10 anticipation 6:10 anymore 43:20 anyway 67:10 apartment 42:22 apartments 46:12 appear 11:6 33:15 35:16 58:13 65:4,24 66:14 appendices 46:20 applicable 34:10 application 23:2 appreciate 4:9 5:6,8 10:11 49:10 51:17 appreciated 50:1 approximately 14:2 21:7,21 21:22 24:17 28:16	april 54:19 aquatic 13:10 22:15,21 arch 2:4 5:16 archeological 20:16 archeology 20:9 archer 57:13 area 11:11,15 12:22 13:20 14:3 19:6,11 19:17 24:4 26:24 27:5,12 28:13 45:6,10 45:22 50:9 55:10 56:5,8 61:24 63:1 67:11 areas 6:23 14:5 15:18 16:12 17:1,6,7,12 20:12 22:14 23:15 41:18 56:17 army 22:23 art 31:19 ashkin 2:9 54:23,25 55:3 57:23 asked 41:5 44:8 45:10 50:25 64:11 asking 45:25
--	--	---	---

aspect 63:22 aspects 39:17 42:1 46:22 48:17 assess 51:22 assessment 20:2,18 31:3 assessments 17:23 20:8 52:10 assets 11:12 assisting 10:19 associated 40:21 association 46:15 attend 68:1 attendees 2:2 attending 8:6 33:22 34:1 35:2,10 38:12 38:19 58:1,8 65:21 68:13 attention 45:17 attorney 69:14 70:10 attracts 45:18 audio 69:8 70:3 august 7:23 65:11 66:3 authority 2:3 4:7 10:19 22:7 25:18 26:12 41:10,17 42:2 46:24 49:4	authority's 40:3 available 5:25 7:13,14 26:3 46:5 49:13 50:20 51:3 59:9,10 avoid 11:24 14:25 15:1	7:12 8:18 10:19 11:5,13 11:18 12:16 13:15 14:4 21:20 27:3,6 31:22 32:12 33:6 36:12 37:10 39:15,21 40:3 41:10,17 41:21 42:2 45:4,5,5,11,11 48:18 53:3,16 58:23 64:20 65:15 66:19 68:10 bay 52:12 beautiful 45:16 56:4 beauty 67:19 beep 60:1,1,1 began 6:21 66:3 beginning 34:11 36:6 behalf 10:1,6 34:11 46:16,16 beings 57:1 believe 48:5 benches 41:2 benefit 20:3 benefits 7:3 12:3 13:9 best 69:9 70:6 beth 50:16,16	beyond 35:20 55:12,15,16,17 bicyclist 29:16 bids 44:17 big 59:22 biking 29:19 bill 2:6 62:7,7,8 62:8,22 billion 14:7 birds 56:20,21 bit 6:4 13:22 22:12 blank 2:19 39:1 39:2,3,9,12 42:5 blue 45:7 board 2:20 10:3 39:4,14 39:20 41:25 46:14 board's 39:5 bob 5:3 7:19 10:18 32:21 boring 42:9 borne 63:12,14 borough 14:11 bpca 6:8,14,19 7:12 bpca's 6:1 bpca.ny.gov. 6:1 8:20 33:8 36:14 59:2 64:23 65:18 66:23,25 68:9
--	--	---	---

breaks 16:1 bring 34:5 55:7 bringing 23:23 broad 47:14 brookfield 16:14 brought 37:5 55:18 budget 15:5 buff 2:13 49:18 49:22,24 buildings 13:24 13:25 14:1 30:25 45:6,14 47:18 bulkhead 20:21 53:2,15 bulleted 16:18 buried 20:22 bury 56:18 bus 50:7 buses 50:6 business 54:6 63:6 businesses 54:17 buying 67:20	candidates 22:3 caparale 53:25 capola 46:3 caporale 2:10 54:2,6,12,15 car 50:7 carbon 25:8 40:19 care 56:25 caroline 49:21 carolyn 49:13 49:21 carter 70:2,17 cartwright 49:13 case 30:13 52:4 55:20 catch 31:12 categories 47:14 cb 40:1,9 center 14:9,13 16:13 centers 14:8 ceo 4:6 certain 48:17 certainly 56:24 62:14 65:14 certificate 69:1 70:1 certify 69:3 70:2 chair 39:4,5	challenge 36:21 65:6 challenging 29:2 chambers 1:13 chance 4:17 5:24 7:21 35:20 change 6:12 18:9,16 20:1 40:14 65:19 changed 62:21 changes 21:9 29:1 channels 34:25 chapter 31:6,7 character 11:20 20:2,4 24:8,13 characteristics 24:24 chat 35:5 58:10 59:16 61:6 64:5 65:2,22 66:12 checking 58:14 childhood 48:21 children 48:18 choices 58:3 chopped 44:11 chosen 50:21 64:16 chunk 48:20,22	circulation 52:21 city 1:2 2:3,11 4:3,7 6:5,18 7:13 8:18 10:19 11:5,13 11:19 12:16 13:15 14:5 16:24 21:20 23:8,8 27:3 31:14,22 32:12 33:6 36:12 39:15,21 40:3 41:10,12,13,17 41:21 42:2 48:19 51:2,12 53:3,16 58:24 63:14 64:20 65:16 66:19 68:11 city's 18:12,13 30:22 clarifies 40:11 clarify 40:25 clear 55:19,25 61:20,22,25 click 35:4 58:9 59:15 61:5 64:4 65:1,22 66:11 climate 6:11 20:1 40:14 close 49:8 59:14 65:9,11 66:4,6 68:5
c			
c 2:1 3:1 4:1 call 20:14 30:13 34:2 called 33:24 calling 50:18 canal 41:24			

closed 29:15 68:15 closures 23:21 23:24,24 25:23 26:18 28:8 club 2:12 51:3 51:12 co2 40:17 coastal 6:6 11:9 12:4 18:12 46:19 47:1 code 30:22 35:12 58:6 coleman 50:16 colleague 34:4 college 14:12 column 16:25 17:14,18,24 18:5 combustion 25:8 come 7:19 10:8 25:8 34:3 35:8 37:5 58:15,17 59:8 coming 4:8 10:17 51:11 52:17 67:23 commend 49:4 comment 3:6 6:20 7:14,17 7:18,22,23,25 8:2,7 9:7,8,11 9:14,16,22,25 32:3 33:3,5	34:7,12,15,16 34:23 35:3,7 35:20,24 36:1 36:11 38:2,24 38:25 49:8,10 49:11 50:11,22 56:12 58:2,12 58:19,23 59:21 60:16,19 61:5 61:8 64:3,7,9 64:17,20,25 65:4,9,10,13,15 65:20 66:2,13 67:8 commentator 62:6 commenter 34:8,13,17 61:5 commenters 34:1 64:2 commentor 61:11 comments 4:23 5:18 8:8,12,14 8:17 10:12 32:4 33:10 34:20 35:18 38:7 39:24 42:1 47:3 57:7 60:10,19 64:10 65:8 66:9,17 68:7,13 commercial 14:1,4 16:14	commitment 40:4 committed 22:7 committee 2:11 2:19 39:6 51:2 committees 39:22 communicate 15:21 communication 48:7 communicati... 2:4 5:17 community 2:20 8:24 9:10 10:3 14:10,11 14:24 15:4,22 17:8 20:5 39:4 39:14,18,20 41:5,9,15,19,25 42:3 46:14 compensated 63:23 compensation 60:14 compensatory 15:16 complete 14:20 32:5 completely 43:3 complexity 16:16 comply 30:22	compressors 59:24 computer 36:20 conceivable 47:20 concern 24:5 concerned 37:11,17 45:15 56:14 67:11,16 concerns 37:24 conclude 57:25 concluded 21:3 25:3 68:16 concludes 57:24 conclusion 19:20 24:10 34:18 concrete 41:2 condominium 63:2,2 condominiums 63:8 confirm 44:25 confirmation 41:7 connection 50:7 considerable 6:20 considerably 47:9 consideration 43:23
--	--	---	--

considered 7:10 9:8 consistently 15:21 consolidate 17:22 constant 48:7 constituents 10:2 constrained 29:5 constraints 28:1 construct 24:21 construction 14:18 15:4,8,8 15:10,12,13,17 15:23,24 16:4 16:6,15 17:12 17:19,21 18:1 20:13,14,15 21:23 23:14,19 23:20,25 24:13 24:23 25:15,17 26:1,4,11,20,25 27:14,15,19 29:24 30:11,11 30:17,21 31:1 40:7,15,21 47:5,7,13,24 48:4,8 49:3 51:23 59:22 60:12 consumed 49:3	contact 47:25 48:2 contain 15:5 contains 17:17 contaminated 52:16 content 11:3 context 30:3 continual 48:14 continually 15:22 continue 7:24 31:23 43:20 63:18 67:25 continuous 15:19 contractors 30:21 control 40:5 conversation 8:25 coordination 25:16,17 core 14:4 16:14 corner 45:12 52:21 53:13 corporation 23:9 corps 22:23 correct 49:16 66:1 corridor 20:10 20:20 21:19 26:10 27:1	corridors 21:8 21:12 cost 13:14 costs 15:6,6 67:21 council 51:12 counsel 69:10 69:13 70:7,10 count 39:2 couple 32:23 45:5 course 4:25 15:13 23:25 24:13 25:25 26:3,20 27:15 30:11 55:14 56:13,20 58:16 63:3 cove 54:7,17,19 coverage 12:19 covers 6:22 covet 56:5 credits 23:6,11 creek 23:6 criteria 16:23 45:24 critical 14:14 15:14 critically 42:4 crosswalks 28:11 cultural 11:18 14:14 20:8 cumulative 24:11	current 12:8 13:15 cut 20:25 44:11 55:25 cycles 61:17
			d
			d 4:1 daughter 42:23 david 2:10 53:25 54:1,4 davidson 2:7 61:12,14 62:5 day 29:25 30:16 60:7 days 42:25,25 dead 44:13 deadline 39:25 deal 48:10 63:18 dealing 63:10 debate 9:1 dec 22:24,24 december 26:15 32:5,10 decide 38:21 43:19 decorative 29:5 dedicated 17:21 deeper 17:13 deis 5:9,25 6:16 6:19,22 7:13 7:23 32:11 39:23 40:3,14 42:2 51:18

65:10 66:3 delay 14:25 15:1 deliveries 31:12 deluded 53:18 demolition 40:18,21 43:25 dense 4:16 density 61:21 61:25 62:2 department 25:2 30:24,25 depth 12:11 described 22:5 22:11 31:5,24 47:23 description 46:18 descriptions 47:11 design 7:10 11:23 22:4 25:18 29:23 31:3 39:18 45:18 designated 53:21 designed 12:4 52:2 destroy 57:5 destroying 56:10 detail 7:20 24:3 31:6 40:11,11	40:22 47:9,23 detailed 17:2 18:6 47:11 detritus 52:17 devastating 6:9 developed 6:8 6:19 31:3 development 23:9 44:17 device 35:12 diagram 26:8 diagrams 21:8 different 16:2 30:5 31:18 62:22 difficult 55:20 digital 69:8 70:3 dioxide 25:7,8 dis 66:23 discarded 37:22 disclose 28:20 disclosed 16:20 discussing 55:6 discussion 9:1 17:16 dispersion 24:19 disposed 19:2 53:10 disruption 14:21 disruptive 48:9	distributed 53:17 disturbed 13:6 dive 17:13 20:7 diversify 12:24 diversions 28:8 document 17:20 23:13 28:22 39:25 60:24 documentation 5:15 60:24 64:14 documents 4:15,16 6:24 66:24 dog 42:24 43:6 43:9 doing 9:15 11:16 12:13 55:25 57:10,11 57:11 63:16 dollars 14:7 double 12:21 dougherty 2:17 42:6,7,14,15,15 42:18 44:21 downtown 50:7 draft 1:1 3:5 6:15 26:14 39:22 47:4,8 drainage 12:10 drivers 59:25 driving 48:12	dual 52:5 due 21:23 23:18 25:13 29:18 30:10 duly 69:5 dumping 53:5 duration 15:3 16:15 30:15,16 47:14 48:15,24 dust 60:2
e			
e 2:1,1 3:1 4:1,1 earlier 12:3,14 14:17 26:8 early 61:1 easier 56:1 easy 56:1 ecological 13:10 economic 23:9 edge 16:9 20:22 effect 17:11 22:16 40:6 41:3 43:13 52:5 effects 19:16,16 22:20 24:11 40:14,18 41:4 41:18 effort 25:19 eight 59:13 66:6 68:5 eis 4:3 11:3,4 16:2,19 17:16 21:8,12 22:5			

24:10 26:14 27:22 29:14 30:6 31:6 41:16 47:4,8 47:12,23 52:24 either 27:25 34:3 49:12 56:18 63:2 66:17 elaborate 40:10 elected 9:23 element 47:5 elements 28:9 28:10 29:5 elevation 12:9 eliminate 13:17 elimination 13:15 email 8:16,20 33:5,8 34:24 36:1,9,11,14 49:12 50:22 58:20 59:1 64:22,23 65:17 66:18,22 68:8 emailing 65:15 emission 31:22 emissions 24:4 24:19 25:7 30:10 31:19 40:24 employed 69:11,14 70:8 70:11	employee 69:13 70:10 employees 23:23 employment 17:4 energy 17:9 engagement 4:12 8:25 42:3 engineering 10:23 engineers 22:23 engines 25:8 enhance 11:17 11:20,22 12:14 12:18,24 26:15 enhanced 18:21 enhancements 13:10 enhancing 37:23 ensure 20:16 40:9 ensures 41:16 enter 67:3 entered 8:9 9:20 33:11 36:3 60:23 64:9,13 entire 20:9 entirety 30:17 environment 40:17	environmental 1:1 2:19 3:5 4:14 6:13,15 6:17 7:5,8 8:10 10:21 13:9 17:20 18:3 25:2,19 30:24 31:25 32:7,8 32:17,17 33:13 39:5,21,22 40:10 57:14,19 60:21,25 62:2 64:12 environment... 40:8 equal 35:23 equally 9:8 equipment 24:25 29:24 31:15,18,21 60:12 equivalent 14:6 55:25 es 69:4 escalation 15:6 especially 50:6 essentially 27:19 estimate 40:18 estimating 40:15 estuarine 51:21 52:7,8 53:6,13 53:18	estuary 52:19 evening 4:2 5:5 10:16 55:1 event 12:11 19:14 everybody 7:21 33:2 34:5 50:24 examination 27:11 examine 31:23 examined 22:16 example 40:13 exceed 25:3 except 30:4 exception 31:11 exhibit 61:15 existing 11:25 14:24 18:10 21:10,13 expand 12:24 22:10 26:16,19 expanded 26:18 expected 60:25 expecting 31:17 experience 43:11 extended 60:13 extending 53:2 extensive 11:25 15:14 25:15,17
---	--	--	---

29:21 31:4 extent 11:15,19 14:21 extremely 37:11,17	fema 13:16 ferry 12:22 feterelo 38:16 38:17 fifth 13:9 figure 36:23 56:9 67:10 final 8:9 11:6 31:24 32:2,7 33:12 39:24 40:10 41:16 47:12,23 52:24 57:14,19 60:21 60:24 64:12 finally 43:4 57:3 financially 69:15 70:11 find 6:3 7:6,9 18:2 51:17 56:18,21 58:21 finding 32:9 fine 34:4 finished 35:24 finishes 7:19 first 11:9 16:7 16:25 42:20 53:8 fisera 2:21 37:4 37:9,9,16 fisheries 22:21 51:24 52:12 five 9:17,24 10:6 11:1 28:14,25 31:16	39:10 48:16,17 48:20 51:15 54:10 66:5 67:17 flood 6:6 11:10 11:10 12:4 13:14,16,16,17 14:23 15:2 20:4 21:1,9,24 22:19 25:22 40:5 46:23 flooded 41:21 flooding 19:13 19:13 floor 8:19 33:7 36:13 54:14 58:25 64:21 65:17 66:20 68:12 flow 28:2 29:6 53:16 flush 52:6 fly 56:21 focus 21:18 23:15 folks 5:19 8:23 32:24 58:15 follow 17:15 follows 24:3 food 56:16,18 foot 12:12 56:7 footprint 40:19 foregoing 69:3 69:4 70:4	foremost 11:9 form 35:7,13 45:24 58:11 61:7 64:7 65:3 65:23 66:12 formal 5:13,14 33:11 forth 9:18 33:21 forty 62:23 forward 13:22 41:7,25 57:18 found 30:2 32:11 four 6:22 11:1 27:18 31:6 43:4 fourth 7:9 fox 2:11 51:1,3 51:4,6,10,16 53:21 free 59:14 friend 36:16,16 friends 8:3 38:21 full 19:3,25 24:6 28:21 36:1 42:1 54:19 67:3 fullness 36:2 functions 19:24 funnel 34:25 further 26:14 69:12 70:9
f			
faced 43:17 faces 8:22 facilitating 5:17 facilitators 10:10 facilities 14:11 17:8 18:18,18 18:20 fact 41:8 61:19 factored 28:1 falls 52:3 familiar 8:22 fantastic 45:2 far 42:10 fastest 16:6 feature 9:3 federal 41:6,13 63:15 federally 13:18 feedback 4:14 4:20 5:1 feel 59:14 67:21 feet 12:8 13:8 55:15,17 feis 9:20 22:11 22:11 26:14 32:5 40:20,25 64:12			

future 6:10	46:3 50:16,23	great 36:15	harmful 41:18
g	55:16 56:22	49:24	hazardous
g 4:1	58:4,16 59:5	greater 31:6	18:22
galloway 2:14	68:1	greenhouse	heads 10:10
46:7,8,11,12	goals 18:13	19:25 24:3	healthy 22:8
49:7	goes 35:20	40:24	56:4
galloway's 50:2	going 5:18 7:16	greenwald 2:15	hear 5:12 9:4
gas 20:1 24:3	7:17 9:4 10:25	46:5 67:4,4,5,8	9:13 10:14
40:24	13:3 30:15	67:9 68:4	13:22 33:16
gaseous 25:6	31:22 32:18,23	ground 11:25	34:20 35:18
gateway 46:12	33:18 35:21	group 33:19,20	36:19 37:13
46:15 54:7	36:7,17,22	38:18	44:25 45:1
62:23	37:18,19 38:7	groups 33:18	46:8,9 51:4
generate 17:4,9	39:13 42:8,19	guess 37:19	54:3 58:5,16
gentleman 52:4	43:18,19 44:22	44:18 55:11	59:10,18,19,24
geographically	45:16 47:10,17	guide 16:21	62:10,14,15,16
30:7	48:11,13 49:8	h	62:19 65:8
gerzowitz 38:3	49:19,19 50:17	habitat 22:22	67:5
getting 4:14	50:17 52:6	habitats 13:3	heard 33:11
44:4 48:1	53:12,25 56:15	half 12:8 14:7	hearing 1:1 4:4
giant 44:1	56:19 58:17	17:19 23:13	4:20 5:9,10
give 10:5,10,25	59:24 60:2,3,4	hammers 59:24	8:13 9:2,4
13:23 32:2	60:5,8,10,13	hand 34:4	32:20,24 34:19
35:22	63:10,20	handling 19:2	36:1 58:4 59:4
given 28:19	goldman 44:7	hands 43:10	59:13 64:11
gives 13:21	good 4:2 10:16	happen 37:18	65:8 66:7 68:6
giving 48:8	46:20 47:8	56:15 60:8	68:8,13,16
glad 5:7	55:1 67:9	happened	hearings 5:18
global 6:11	goodness 45:13	37:12,17	9:7 68:14
go 5:13,21 6:24	gotten 49:9	happening	heat 40:6 41:3
7:17,20 9:17	government	36:23 63:21	helena 2:21
17:15 24:3	63:15	happy 36:19	37:4,4,9
32:23 33:19,20	graphic 11:14	55:2 58:5 59:5	hello 42:7
33:21 36:8	27:11 30:6	59:10	54:25
38:7 44:22			

help 43:5,8 62:13 65:5 helpful 30:4 helps 62:12 herbaceous 13:1 hereto 69:14 70:11 heritage 14:12 hi 5:7 54:2 55:3 55:3 59:19 high 1:12 20:23 42:20 43:4 60:6 highest 15:18 historic 20:8,19 20:19,21 21:2 hold 35:21 homeowner 13:14 hooked 62:18 hope 4:16 hopefully 36:5 36:9 38:6 39:13 56:21 hoping 60:9 hour 31:11 hours 31:13 hub 14:9 hudson 2:11 12:9 13:5 19:11 20:21 27:6 51:2,11 51:21 52:7,23 53:5,6,12,17	hundred 13:25 hundreds 22:18 i idea 37:22 67:19 identified 7:9 16:3 17:14,25 18:19 22:2 23:3 27:17 28:21 identifies 16:25 22:6 identify 34:9 identifying 47:8 imaginative 49:4 immediately 45:10 46:13 imminent 15:3 impact 1:1 3:5 6:9,15 8:10 10:21 16:19 17:11,20,22,23 18:3 19:23 21:4,5 22:14 24:12 29:6,18 29:22 30:19 31:3,25 33:13 39:23 40:10 41:3 43:12 48:25 50:4 51:23,25 52:11 52:12,15,24	57:14,20 60:21 60:25 61:16 62:1,2 64:13 impacted 16:11 28:6,15,17 30:2 67:12 impactful 40:24 impacts 6:18 7:5,8 11:24 12:10 15:4 16:24 17:2,14 17:21,24 18:2 20:16 21:17 23:2,14,18 24:7,9 25:13 25:20 26:5,7 26:13 27:14,17 27:20 28:20,23 28:24 29:1,9 30:10,15,19 39:19 40:15 47:5,7,8,9,13 47:16,22 51:22 implement 30:23 implementati... 27:21 implemented 19:1 28:25 31:5 48:6 implementing 15:2 important 8:11 10:23 11:18	12:15 14:10,14 42:4 48:14 improve 13:2 include 23:16 26:24 28:11 31:9 40:3 41:16 53:2 63:7,9 included 5:14 63:6 includes 12:20 including 14:8 23:22 27:6 39:17 46:23 increase 8:5 12:17,19,21 increased 47:1 increasing 37:23 indication 44:2 informal 42:9 information 7:1,4,6,9 41:16 64:7 infrastructure 11:25 19:4 22:17 initiating 31:1 inland 11:13 12:10 input 6:20 32:17 ins 41:23 insane 43:3
--	--	--	--

install 21:1 25:22 installation 21:24 installations 22:23 installed 17:3 22:18 institutions 14:14 insufficient 51:18 integrated 6:6 21:13 41:12 integrating 21:9,9 intended 31:21 intensifying 48:25 intensity 47:15 intention 32:5 interest 24:5 interested 69:15 70:12 intersections 27:12,13,16 28:4,25 inventoried 21:22 inventory 20:19 investigation 18:23 investigations 20:15	invited 8:7 iron 44:1 island 23:10 40:6 41:3 issue 39:24 42:4 55:7 issues 48:4 issuing 39:16 it'll 14:18 17:5 items 19:8 iterative 29:23	kate 2:16 38:19 38:19 44:23,23 katherine 70:2 70:17 kathleen 2:8 59:18,18 kavelman 2:13 49:18,22,23 50:1,12,14 keenan 2:8 59:18,19,21 keep 49:19 50:17 56:9,10 58:14 keeping 59:12 key 19:8 kids 48:20 kind 16:18 29:5 42:9 55:19 57:21 59:23 60:12 63:9 know 8:4,22 11:4 12:3 14:23 17:19 30:3,8,8,13 31:9 39:4 43:10,16 44:6 44:16 45:3 48:11,13 50:18 55:21,24 56:8 56:23 57:16 60:8 62:11,18 knowledge 69:9 70:6	known 6:14,16 l land 18:7,9,10 18:10 21:17,17 landscape 22:5 landscaping 12:18,21 37:23 lanes 27:25 large 14:3,4 15:23 26:23 41:1 larger 10:2 lastly 41:15 late 6:21 lawn 25:24 lead 10:18,20 leadership 46:25 leading 45:11 45:12 lean 13:22 leave 57:21 left 34:14 65:7 66:5 legalities 57:17 level 6:11 12:5 12:7 47:2 63:7 levels 60:7,11 liberty 8:19 27:7 33:7 36:13 58:24 64:21 65:16 66:20 68:11 life 48:22 67:16 67:19,22,23
	j jack 59:24 jared 34:5,5,14 37:13 jeff 2:14 46:7 46:10,12 50:2 jersey 43:8 jewish 14:12 job 1:21 46:20 47:8 jobs 14:4,5 jogging 29:19 join 5:9 10:17 32:16 37:1 joined 5:20 8:23 10:22 joining 4:10 5:2 joint 23:1 jumping 62:13	k karie 2:7 61:11 61:12	

lights 45:7 limiting 31:9 linear 13:8 lined 55:11 lines 4:19 59:12 link 11:7 32:13 35:4,6 58:10 58:10 59:15,15 61:6 64:4,6 65:1,22 66:11 list 2:2 31:4 32:25 35:9,17 50:23 58:14,21 65:5,24 listed 23:15 26:17 listen 59:6 little 6:4 13:22 17:15 22:12 29:2 36:5 37:2 live 5:10 45:4 54:7 55:10 56:15 60:4,15 62:23 63:18,22 lived 43:13 lives 56:23 living 43:20 44:11 48:18 57:1 60:6 locations 24:17 24:18 29:7,12 30:2,7 logging 62:13 long 4:11 37:10 41:3,5 42:18	48:16 52:11 longest 16:15 loni 36:17,17 36:18 lonnie 38:8,9 look 5:24,25 6:1,23 7:16 17:13 43:5 49:5 51:19 52:24 looked 7:15 17:16 18:7 19:15 21:16 22:20 24:16 27:20 51:22 55:9 looking 19:4 22:9 26:12 30:14 45:24 63:5 looks 26:5 41:7 41:25 loss 23:17,18 25:13 29:18 lot 13:3 24:22 29:22 43:21 45:17 52:21 60:2 love 56:5 low 17:10 lower 6:7,9 14:15 31:19 46:25 lowest 25:5	m m20 50:6 m9 50:6 machinery 55:21 56:1 madam 44:12 made 7:12 47:25 60:20 madonick 1:7 2:4 3:4 5:7,16 32:21 37:13 38:1,25 39:7 39:10 42:5,11 42:17 44:20 45:1 46:2,9 49:7,24 50:10 50:13,15 51:5 51:8,14 53:20 53:24 54:4,9 54:14,22 55:1 57:23 59:20 60:17 62:4,16 62:20 63:25 67:7 68:3 mail 8:16 33:5 34:23 36:2,8 36:11 49:12 58:20,23 64:19 66:17,18 68:10 mailing 65:14 main 37:18 53:16 maintained 21:12	maintaining 67:22 maintenance 27:21 31:20 major 14:7,10 14:18 24:4 majority 13:25 26:9 28:24 make 8:2,7 9:22 24:6 25:19 33:1 36:2 37:14 49:16 50:19,24 55:25 56:1,12 60:6 61:5 66:7 making 45:12 management 6:7 18:12 19:1 manhattan 2:20 6:7,10 14:11,15 39:4 39:14 46:25 mann 2:3 4:2,6 manual 16:21 16:22 marina 54:7,17 67:11 maritime 54:16 mark 2:15 46:5 46:5 67:4,4 market 27:7 materials 5:24 18:22 23:23 40:23 46:19
--	--	---	--

matrix 10:22 matter 25:4 34:23 40:8 48:19 mature 56:4 mean 34:22 37:21,24 51:20 57:17 meaning 63:3 meaningful 15:12 means 36:6 48:1 50:8 measure 47:20 55:16 measures 31:4 40:23 47:22 48:5 49:5 mechanical 40:5 meeting 41:11 45:9 meetings 4:24 8:24,24 55:6 68:1 meets 18:13 45:24 members 9:10 67:14 memorial 14:13 mentioned 9:18 24:16 methodologies 16:23	metric 40:16 mg 67:2 mic 34:3 michelle 2:9 54:23,23 55:1 micron 25:5 microphone 33:25 34:6 37:14 62:18,22 65:6 midday 28:5 middle 32:10 mile 13:9 milestone 4:11 milestones 4:12 mill 23:6 mind 65:19 mine's 42:8 minimal 21:4 minimize 11:24 14:21 15:6 40:6 minute 34:15 minutes 8:8 9:23,25 10:6 34:17 35:21,21 35:25 39:11 49:9 51:15 54:10 65:7 66:5 misspoke 66:2 mitigate 7:7 26:13 41:4 47:21 57:6	mitigated 28:23 29:7,13 47:10 mitigation 23:6 23:10,11 28:21 28:22 30:23 31:4,7 47:11 47:22 48:5 53:11 mobile 35:12 mobility 61:24 modeling 29:23 46:20 moderated 1:7 modified 19:6 moment 44:25 55:15 monitoring 20:15 24:17 months 4:25 16:5 moore 19:19 22:1 41:23 moored 52:13 moral 57:5 morning 27:18 43:4 mortgages 13:18 move 10:12 34:17 53:25 54:23 moved 43:21 67:19	mpt 27:23 28:7 mufflers 31:21 muffling 31:18 multi 14:19 multilevel 45:23 multiple 25:23 33:3 museum 14:12
			n
			n 2:1 3:1,1 4:1 name 4:13 33:24 34:2 35:7,8,13,16 37:6 39:3 42:12 58:7,12 58:13 61:8,9 64:8 65:3,4,23 66:13,13 67:2 67:3 name's 46:11 names 33:15 62:22 narrowed 62:3 narrowing 61:16 narrowings 28:7 natural 21:16 near 60:5,15 nearly 12:18,20 necessary 24:20 need 5:23 7:3 13:17 19:6

20:12,24 21:23 22:18 25:11 30:23 31:4 32:11 39:13,18 46:21 47:22 48:7 51:17 54:12 56:6,16 56:17,17 63:23 64:4 65:21 needing 25:21 needs 17:9 47:11,21 49:6 61:25 neglects 51:18 neighborhood 10:4 11:13,23 16:5,9 20:1,4 24:8,12 43:22 50:4 neighboring 41:18 neighbors 9:9 neither 69:10 70:7 nervous 43:2 nest 56:22 new 1:14 2:12 8:19 16:24 23:8,8 31:14 33:7,7 36:13 43:7,18 51:3 51:12 52:9 58:25,25 64:21 64:22 65:17,17 66:20,20 68:12	68:12 69:23 nice 32:24 night 4:5 8:13 35:1 nights 42:21,25 nine 39:16 nitrogen 25:7,7 noise 24:4,7,9 29:21,22 30:10 30:22,23 31:4 31:18,19,22 47:16,21 59:22 59:23,25 60:7 60:11 63:19 nora 1:7 2:4 3:4 5:3,16 32:18 north 1:2 4:3 6:5,18 7:12 8:18 16:8 19:19 22:1 25:24,24 27:7 33:6 36:12 39:17,23 41:23 41:23 53:4 54:7,17,18 58:23 64:20 65:15 66:19 68:10 northend 53:4 notary 69:22 notice 48:9 noticed 61:15 november 54:20	number 14:3 27:2 48:1 56:3 numbers 13:24 numerous 39:16 nwbpcrinfo 8:20 33:8 36:14 59:2 64:23 65:18 68:9 ny 1:14 nybpcrinfo 66:23	65:9,11 66:4 68:14 office 21:3 officer 21:3 69:2 official 5:14 43:23 officially 54:16 officials 9:24 offsite 19:2 oil 52:16 okay 36:15 37:4,10,14 38:3,5,6,7,12 38:18,20,25 39:2,10,12 44:15,22 45:2 49:19,24 50:17 54:9,12 62:20 67:5,9 omitted 52:25 once 17:3 35:16 online 4:9,15 4:21 5:19,25 8:3,4,23 9:16 11:5 16:7 33:1 33:19 34:9 35:9,17 36:18 38:8,14,21 44:22 46:4,6 48:2 49:14,20 51:1,3 54:24 58:8,14,15 59:7,16,17 60:18 61:3,11
		o	
		o 3:1 4:1 o'clock 59:13 66:6 68:5 objective 11:17 12:14,17 13:7 13:12 14:19 15:11,12,15 28:19 objectives 11:8 18:13 40:2,12 obligation 57:5 obvious 48:16 obviously 4:23 36:20 37:11 45:17 occupancy 62:25 63:1 occupy 19:21 october 4:22 7:24 32:4 39:25 54:20	

62:6 64:2,3,25 65:4,23,24,24 66:15 67:2,4 op 63:2,3 open 9:14 11:17,22 12:15 12:15,21 15:12 15:14,16 18:16 18:16,17 23:16 23:18 24:9 25:10,11,23,25 26:2,3,9,16,18 26:19,23 27:2 27:3,4,5 32:4 59:12 67:12 opening 3:4 operated 23:7 29:25 operation 40:7 operational 24:24 operations 19:23 31:10 47:6 operative 61:23 opinions 9:5 opportunities 8:25 22:10 26:20 opportunity 9:22 10:5 35:23 51:6 53:23 55:4 57:25	ops 63:8 options 31:23 orally 33:5 order 5:22 33:16 35:18 61:8 organization 10:7 34:10 37:7 51:9 54:10 organizations 10:4 46:17 outcome 69:15 70:12 outfall 52:19 outlines 16:23 outreach 18:20 21:2 outside 31:13 35:15 43:3 58:4 59:4 overall 15:3 overview 7:20 9:13 own 42:16 owner 54:7 63:12 ownerships 63:3	paid 45:17 pallet 12:24 park 1:2 2:3,11 4:3,7 6:5,18 7:13 8:18 10:19 11:5,13 11:19 12:16 13:1,15 14:5 15:9 16:9,10 17:11 20:22 21:20,20 26:24 27:3,4,4,6,7,8 31:22 32:12 33:6 36:12 37:10,17 39:15 39:21,24 40:3 41:10,17,21 42:2 43:24 44:18 48:19 49:2 51:2,11 51:21 52:7 53:3,5,16 58:24 64:20 65:15 66:19 68:10 park's 21:25 parker 2:7 61:12,14 62:4 parks 21:20 26:18 part 6:13 22:6 23:1 52:20 67:18 participants 10:23	participate 7:18,21 9:12 particular 47:16 particularly 19:17 30:4 41:20 particulate 25:4 parties 69:11 69:14 70:8,11 passage 36:17 38:8 passed 63:17 passive 40:5 past 39:20 path 61:20,25 paths 61:22 62:3 paul 38:10,11 38:12 paving 41:2 payara 38:5 peak 26:7 30:14,18 peaks 27:19 pedestrian 19:23 27:25 28:10,13 29:1 29:12 pedestrians 28:6,10 29:6 61:17 people 8:4 9:6 32:25 33:16
	p p 2:1,1 4:1 p.m. 1:9 28:15 68:17 page 3:2 6:2,3		

43:13,19,21 48:9,11 50:18 50:19 56:24 60:4,14 64:24 percent 12:19 period 7:23 23:20 24:14 30:18 32:3 50:5 60:13 65:9,10 66:3 periods 28:5 30:14 permit 22:24 23:1 31:13 person 4:21 8:6 9:15 32:25 33:20 34:2,9 35:10 36:22 38:20 49:15 58:1 60:19 67:1 personally 55:9 ph 36:24 37:3,3 37:3 38:3,3,4,5 38:5,10,12,13 38:16,16,17,17 46:3 49:13 phase 20:9,14 phases 16:2 phasing 25:15 25:17 26:8 phone 48:1 physical 46:22 piece 20:25	pile 48:12 59:24 piles 22:16,17 22:18,21 51:23 51:23 pipe 53:6,15 place 16:14 20:3 45:4,19 52:22 55:10 56:10,22 57:13 59:14 places 56:21 plan 19:1 22:5 27:22,23 30:23 37:20 45:10,21 53:1 planned 43:24 planning 39:18 plans 7:7 39:15 41:13 plant 53:9 planting 12:19 12:24,25 22:10 please 12:1 13:19 14:16 15:25 16:17 18:4 20:6 21:15 23:12 24:15 25:9 26:21 27:9 28:18 29:20 35:11 37:6,7 37:14 38:9 42:12 49:11 59:5 62:8 65:1	66:18 67:3 plenty 59:8 pm 25:6 point 4:19 5:1 47:25 55:18 62:25 policy 18:8,11 polite 9:9 pollutants 24:19 ponding 12:10 popko 1:20 69:2,22 population 17:4,7 popup 26:17 portion 20:25 66:7 portions 19:21 possible 11:19 11:22 14:20,21 18:19 31:10 53:4 post 17:12 23:19 posted 4:15,18 11:5 35:4,19 58:10 61:6 64:5 65:2,22 66:11 potential 6:17 7:5,7 17:14 19:12,16 21:17 22:2 23:24 30:9	powerpoints 4:18 practically 60:6 pre 9:21 20:14 34:19,21 35:11 58:2,9 65:1 prefer 33:4 59:1 64:19,22 preference 66:16 prep 57:13 preparation 10:21,24 prepare 30:23 prepared 6:15 70:3 preparers 10:19 preregister 35:4 preregistered 33:14,23 61:4 present 43:17 presentation 10:14 21:2 preserve 11:19 preserving 22:8 president 4:6 pretty 14:17 17:10 28:11 44:2 45:8 63:21
--	---	---	---

prevent 12:9 previously 9:18 64:1 primarily 29:10 primary 21:18 23:15 29:11 53:11 principle 40:1 40:12 prior 69:5 probably 17:19 45:23 55:15 procedures 16:23 proceeding 70:4 proceedings 69:3,4,6,8 70:6 process 6:21 15:23 18:20 28:20 32:8,18 production 42:10 profiting 44:16 program 18:12 18:14 project 1:2 4:13 5:1,21 6:5 6:6,7,8,19 7:2,3 7:11,13,15 8:18 9:14 11:2 11:8,16 12:2,4 12:13,20 13:13 14:18,20,23	15:6,11,24 16:1 17:3 18:24 19:6,7 20:3,9,20 21:6 22:7 24:21 25:12 26:10 27:1 31:16 36:12 40:2,22 41:12,17 46:18 46:21,23 47:15 47:19,25 48:8 57:20 58:24 59:23 63:7 64:21 65:16 66:19,24 67:20 68:11 project's 5:14 7:2,2,5,7 39:18 40:7,14,16,24 projected 12:6 15:9 projection 12:7 projects 18:22 39:17 promenade 55:12 promised 41:10 48:5 proper 31:20 properly 53:9 properties 63:12 property 11:12 14:7 19:13 63:11,13 67:22	proposal 23:5 proposed 6:18 25:25 40:2 41:14,23 protect 11:12 protected 11:11 13:21 14:3 19:11 52:8 protecting 18:10 46:25 protection 2:19 11:15 13:17 14:23 15:2,18 20:4 21:1 25:2 25:22 27:21 30:25 39:6,21 protest 43:24 provide 7:4 11:9 13:8,13 13:13,23 15:12 15:15 20:3 26:16 34:6 40:4 provided 61:20 64:10 provides 7:1 providing 5:21 42:1 public 3:6 4:12 4:14 5:9,10 6:20 7:13,22 8:14,24 9:2,14 12:14 14:1 19:18 49:2,6	64:11 65:10 66:2,7 69:22 pull 6:24 pump 19:8,9 57:13 pumping 19:9 52:1 purchase 23:6 purchased 67:14 purpose 7:2 11:2 52:25 purposes 16:2 27:13 putting 52:2,4
q			
qr 35:12 58:6 qualified 69:7 qualitatively 26:5 quality 6:14 22:15,22 24:2 24:16 32:8 51:19,20,20 52:11,12,15 67:16,22 quantified 23:4 quantitative 18:16 quantitatively 26:6 quantity 41:2 question 9:3,19 9:25 37:18 46:1 54:17,20			

64:4 questions 8:8 8:12,14 33:10 50:2 60:20 64:11 queue 61:10 64:8 66:14 quick 20:7 55:4 quickly 14:20 31:8 53:17 57:9	43:19 47:11,20 48:25 49:10 50:1 57:10 reason 53:22 reasonable 30:13 reboot 44:18 receive 5:18 8:9 9:24 receptor 24:18 recognize 8:11 26:22 30:17,20 recognized 29:14 30:9 recognizing 10:1 14:22 15:23 25:24 reconsidered 41:7 record 5:13 9:20 33:12 36:4 69:9 70:5 recorded 5:11 69:6 recording 69:8 70:4 recreation 18:20 recreational 18:18 26:19 rector 27:4 55:10,12 redesign 45:22 reduce 11:10 13:16 18:17	25:19 27:24 31:21 40:23 reduced 69:6 reducing 61:23 reduction 12:4 13:14 referred 27:22 45:7 regard 40:13 regarding 47:7 51:13 55:5 register 34:21 35:11 58:2,4,9 59:5 65:1 registered 9:21 33:4,17 34:19 35:9,16 49:20 50:19 57:24 58:15 59:9 64:2 registrant 59:17 registrants 49:15 64:15 registration 35:14 59:3,15 rekoff 38:10,11 related 5:24 6:11 22:14 23:14 69:11 70:7 relates 50:3 relative 69:13 70:10	release 22:12 released 26:15 61:1 reliable 11:9 relies 40:4 relieves 19:11 relocated 52:14 remain 25:25 27:4,5 remainder 49:11 remarks 3:4 remediation 18:25 remind 65:9 68:6 reminder 33:9 60:18 removal 29:4,4 41:1,6 removed 21:23 44:8,10 removing 44:13 renderings 44:2 rental 63:2,11 63:12,13 rentals 63:3 reopened 15:9 15:19 26:25 repeat 42:11 repeating 34:24
r			
r 2:1 4:1 rabbi 43:7 radinov 38:13 rain 19:9,13 52:5 rainstorm 12:11 raise 34:4 raised 8:12 60:20 raju 2:3 ran 42:23 range 9:4 16:4 rates 13:16 rather 40:5,17 53:4 reach 16:4 48:3 reaches 16:3 46:13 read 4:17 real 48:2 really 4:13,14 4:19 5:4 29:21			

replaced 13:7 44:1 replacement 26:16 replacing 31:15 replanted 22:6 replanting 37:20 report 43:13 46:20 reported 1:20 representative 10:5 representing 37:7 42:16 54:5,9,16 requests 41:9 require 17:2 required 18:23 30:22 requires 22:23 31:13 rerouting 29:16 residences 30:5 resident 37:10 42:15,19 46:12 residential 14:1 47:18 62:24 63:1 residents 11:11 14:2 47:24 48:3 resiliency 1:2 4:3 6:2,2,6	7:13 8:18 33:6 36:12 39:15 41:18 52:3 58:24 64:20 65:16 66:19 68:11 resolution 51:11 resolutions 39:16 resolved 36:10 resource 20:8 resources 11:18 20:17,19 20:20 21:16 respect 18:11 18:15 35:22 responded 8:15 33:12 61:1 response 6:8 9:19 33:10 responsible 40:8 rest 36:6 48:20 48:22 restaurants 67:11 restoration 23:7 restored 23:19 result 18:25 19:7 20:11 25:12 26:4 28:3 29:8 30:1	resulting 29:10 returned 57:3 review 4:15 6:14 7:14,22 25:1 32:8,9,18 41:11 65:10 66:2,23 reviewed 30:24 39:22 reviewing 39:15 40:13 revised 61:25 revisit 56:7 revitalization 18:14 revived 43:22 right 8:4 27:11 32:22 36:16,21 37:1,11 38:14 45:3,19,22 50:13 51:14 52:19 57:12,15 62:22 65:25,25 rigorous 16:22 24:1 ring 36:24 ripped 45:16 rise 6:11 12:5,7 17:10 47:2 risk 6:6 11:10 12:4 15:18 risks 47:1 river 2:11 12:9 13:5 16:11 19:11 20:22	22:15 27:6 51:2,11,21 52:7,23 53:5,7 53:12,17 60:5 60:15 67:15,15 robert 2:5 3:5 5:20 9:13 10:13,18 robust 32:24 rockefeller 16:9,10 25:24 roger 4:6 role 46:25 room 8:2 35:15 58:4,7 59:4 rotate 33:18 rotating 9:15 route 16:12 19:18 22:1 29:10 31:11 41:14 routes 28:13 rules 5:22 run 42:22 53:6 53:15
s			
s 2:1 3:1 4:1 sachs 44:7 sailing 2:10 36:6 52:13 54:1,5 sanctuary 51:21 52:7,9 52:20 53:6,14 53:19,21			

sandy 6:9 41:22 saturday 28:17 savings 13:14 saw 23:6 44:3 44:10 scan 35:12 58:6 scars 43:15 schedule 32:3 41:10 scheduled 22:12 59:14 school 1:12 20:23 42:21,23 43:4 scoping 6:21 screen 33:16 35:12 58:6 64:9 sea 6:11 12:5,7 47:1 season 54:18 54:19 second 7:4 18:5 36:21 secondarily 53:1,11 seconds 10:9 34:14 44:15 section 7:19 39:23 see 8:21 16:4 17:24 21:11 27:24 30:4 32:19 38:21	52:10 58:14 62:1 68:1 seeing 33:15 seema 37:3,3 seems 40:17 44:5 seen 43:25 segments 29:16 self 42:16 send 36:8,8 38:6 53:8 58:22 66:18,22 senior 67:18 seniors 48:19 48:21 sense 32:3 september 1:8 seqra 6:14 16:20 17:1 28:20 32:8 sequence 15:7 15:17 series 4:24 serve 46:14 services 50:8 session 9:3 set 4:12 10:2 setting 21:14 46:21 seven 16:3 54:16 seventeen 22:2 several 7:25 22:17 28:14 29:12 45:5	severe 6:10 sewage 53:5 sewer 19:4,5 51:22 52:18 53:9 shadow 17:11 17:11 shaking 43:2 43:11 share 61:21 64:3 shareholder 67:14 shares 10:13 shave 20:25 shorten 15:3 show 11:14 61:9 64:8 showed 21:8 26:8 shown 16:3 shows 13:20 27:11 30:7 31:2 shrink 48:24 side 41:22 63:6 sidewalk 19:22 28:7,9,12 sidewalks 19:17 23:25 28:11 61:16 sign 35:15 signal 29:1 signature 69:21 70:16	significant 6:22 7:8 17:23,24 18:2 21:5 23:17 24:12 25:13 26:7 29:9,17 30:9 47:17 48:20,22 51:24 63:8,19 63:19 67:18 significantly 19:22 28:6 simple 54:18 simultaneous 12:11,23 19:13 site 23:7 sizable 14:18 15:14 size 18:17 skills 69:10 70:6 skip 22:12 slide 11:7 12:1 13:19,20 14:16 15:25 16:1,17 16:18 18:4 20:6 21:15 23:12 24:2,15 25:9 26:21 27:9 28:18 29:20 31:2 32:1,2,14 slides 11:1 17:15 small 20:25
---	---	---	---

smaller 61:20 smith 2:16 38:19,19 44:23 44:24 45:2 62:21 smooth 36:6 snafu 36:5 snapshot 16:20 socioeconomic 17:7 socioeconom... 17:8 soil 18:23,25 soils 18:24 19:2 solace 57:2 solid 17:8,9 somebody 43:6 soonest 15:20 sorry 44:12,15 44:15 45:13 sort 14:22 17:25 20:25 24:8 57:4 sound 59:25 62:12 sounds 60:5,9 sources 56:17 south 16:5 39:17 space 11:23 12:21 15:16,19 18:16,17 23:16 23:18 24:9 25:10,11,14 26:3,19,23	27:3 49:2 61:18 spaces 11:17 12:15,15 15:13 15:14 18:17 25:23 26:9,16 27:3 49:5 speak 8:7 9:23 10:6,8 33:14 35:23 38:22 49:15 50:19 51:7 54:10 57:25 58:15,16 59:5,8 64:15 64:16 65:25 66:8,11 67:2 speakers 8:13 34:19 35:22 55:7 57:24 speaking 10:1 34:11 39:8 46:15 51:8 speaks 56:13 special 31:11 species 13:1 specific 17:2 20:12 40:22 specifics 13:21 13:24 spirit 67:23 squirrels 56:20 56:22,24,25 57:1 stakeholders 41:11 44:6	stand 34:3 standard 31:13 standards 25:4 start 15:9 32:24 36:17,24 44:23 58:21 started 7:23 32:22 36:4 65:11 starting 33:19 starts 26:25 state 6:13 9:25 21:2 31:19 32:8 41:13,13 48:16 52:9 63:14 69:23 stated 40:2 statement 1:1 3:5 6:15 8:10 10:21 17:20 18:3 31:25 32:9 33:13 39:23 40:10 57:14,20 60:22 60:25 64:13 staten 23:9 static 17:5 station 19:9,9 52:1 stay 15:5,5 67:12 stayed 43:22 step 32:7 steps 32:19 48:10	steve 2:17 42:6 42:14,15 steven 38:3,4 storm 6:10 15:2 19:10 storms 12:5 47:1 streamed 5:10 street 1:13 2:4 5:16 8:19 19:12,19 21:19 22:2 27:24 33:7 36:13 41:23,24 52:17 58:25 64:21 65:16 66:20 68:11 streets 12:10 19:18 23:24 26:18,19 stretches 15:19 structure 13:4 17:5,10 19:16 23:3 struggling 43:1 study 20:9,11 27:12 62:2 stuyvesant 1:12 20:23 42:20 53:3 subjects 47:4 submit 4:23 34:22 35:3,7 35:11,13,25 49:11 58:2,7
--	--	---	--

58:11,18 61:8 64:7,17 65:3 65:23 66:13,16 68:7 submitted 23:1 submitting 50:22 subsidy 63:10 substructure 13:4 suddenly 43:17 suggest 9:6 suggests 4:13 summarize 11:2 31:8 summary 4:18 12:2 16:19 20:2 summation 24:8 summer 15:10 superstorm 6:9 41:22 supply 19:5 support 22:19 67:13 supporting 46:19 suppose 30:3 sure 24:6 33:1 36:2 37:14 44:6 49:16 50:24 52:25 66:8	surface 12:8 52:2,16 surge 52:15 surges 52:5 surrounding 26:24 27:5 survivors 43:8 sustainability 6:2 suzanne 36:24 36:25 37:1 switch 36:22 38:20 50:21 sworn 69:5 system 11:10 18:9 19:18,21 20:5 21:1,4,10 21:13,24 22:19 25:22 40:4 49:17 62:9 systems 19:5,5	taken 40:23 47:21 69:3,12 70:9 talk 9:12 talked 62:19 talking 62:24 talks 61:19 tax 63:8 team 8:18 18:24 24:23 29:23 31:3 33:6 36:13 48:8 58:24 64:21 65:16 66:19 68:11 teams 25:19 30:21 teardrop 27:4 technical 16:21 17:1,12 36:5 46:22 technology 36:7,15,23 teeming 45:20 tell 34:10 45:21 54:5 58:18 temporary 17:23 18:1 23:16,17 24:12 25:13,23 26:6 28:8 29:4 ten 65:7 tenancy 63:4 tenants 46:15 63:17	term 52:11 terminal 12:22 terms 16:22 24:23 28:6 48:15,18 49:2 67:21 terrace 16:11 60:5,15 67:15 67:16 tested 18:24 testifying 69:5 testimony 5:12 10:5,12 thank 10:14,16 32:15,15,21 34:16 37:16,25 38:1,24 39:3 39:14 42:4,5 42:17 44:19,20 46:1,2,11,24 49:8,12 50:9 50:10,15 51:6 51:16 53:20,22 53:24 54:11,13 54:21,22 55:3 57:22,23 60:15 60:17 61:14 62:3,4 63:24 63:25 68:2,3 68:12 thanks 4:8,8 5:2,5 42:2 thea 1:20 69:2 69:22
	t		
	t 3:1,1 table 30:3 35:15 58:3 59:3 take 5:24,25 6:1,23 7:16 9:17 35:6 40:20 41:4 48:10,17 56:16 58:11 61:7 63:20 64:6 65:2 66:12		

theory 48:12 thing 57:8 things 32:23 36:8 55:5 think 16:14 44:14 45:23 48:18 50:3 51:16 52:18,22 52:24 56:3,6 57:5,18 67:25 thinking 59:23 64:3 third 7:6 17:18 thorough 24:7 24:22 27:10 28:12 three 8:8 9:23 28:25 34:15,17 35:21,21,25 39:13 40:6 42:25 49:9 tidal 52:5 tie 41:23 time 5:6,9 10:9 10:11,17 31:16 32:16 34:18 36:9 37:10 42:19,20 45:9 45:18 48:2,16 48:24 50:20,24 59:8 63:19,24 66:8 times 12:20 29:25	timing 29:1 ting 2:18 38:23 today 8:9 42:10 today's 4:20 told 39:13 44:9 tom 2:11 38:13 38:14,14 51:1 51:3,8 tonight 5:8,12 5:19,19 7:17 8:1,12,15 32:16 33:2,11 33:15 47:4 60:20,20 61:2 64:16 65:14,20 66:11 67:8 tonight's 5:10 5:17 9:2,4 36:1 64:11 68:6,13 tons 40:16 56:20 top 4:19 topic 44:4 total 12:19 27:16 tourists 45:18 towards 16:13 22:13 trade 14:8,13 trades 14:8 traffic 24:9 27:19,22,25 28:2,24 62:3 transcriber 70:1	transcript 70:3 70:5 transcriptionist 69:7 transit 14:7 transplant 22:3 transport 52:2 transportation 19:15,23 23:22 27:10 50:4 61:15 trauma 43:16 43:18 treated 53:9 treatment 53:9 tree 12:25 22:10 55:22 56:16 trees 21:18,18 21:19,19,22,25 22:1,6,8 37:19 41:1,6 44:7,9 44:11 55:5,6,9 55:10,13,14 56:3,4 tribeca 2:10 16:12 19:17 41:24 54:1,5 tried 17:22 trouble 67:10 truck 27:15 59:25 trucks 24:20 true 69:9 70:5	try 14:25 38:18 42:24 48:24 trying 36:22 49:4 67:10 tugboats 24:19 turn 5:3 32:18 62:11 twenty 21:25 two 8:17 12:8 12:20 17:14 27:17,18 28:4 28:5,16 40:5 42:21,25,25,25 45:14 47:3,4 47:14 58:3 67:15 types 31:18 typewriting 69:7
u			
ultimately 13:12 unavoidable 25:10,21 26:6 29:17 uncirculating 53:13 under 26:10 39:13 understand 29:24 50:3 56:2 57:9,11 57:17 66:1 67:1			

understanding 24:24 27:14 55:23	used 16:20 40:23	visit 35:14	washington 27:7
understood 51:14	uses 18:10,10	visitors 47:25	waste 17:8,9
universal 11:21	v	visual 21:7,13	water 12:8 13:2 13:4 19:3,5,10 19:10 21:17 22:15,16,21,22 23:3 51:19,20 51:20,22 52:3 52:5,11,12,15 52:16,23 53:10 53:12
unlivable 60:6	vacate 53:12,16	vital 12:15 14:13	waterfront 11:18 12:16 13:5 15:15 18:14 21:20 26:2 29:15,18
unmitigated 29:9	vacating 52:22	vittoria 38:16 38:17	way 16:20,22 29:11 36:6 45:11 48:25 50:23 56:9
unmuted 61:12 62:7,9	value 14:7	volume 61:17	ways 7:25 8:17 26:13,15 33:3 57:6
unmute 33:24 36:18 38:8,11 67:10	variance 41:6 55:7 56:8	w	we've 4:18 16:2 23:15 42:10 43:25 61:12 64:1
unmuted 61:12 62:7,9	variation 51:13	wadwa 37:3	weather 31:12
unnecessarily 56:3	various 26:12	wagner 15:9	weaving 14:23
unofficially 54:16	vegetation 12:25	26:24 37:17 43:24	website 6:1 7:15 11:5 32:11,13 66:24
updates 48:14	vehicles 24:20	waive 34:5	wednesday 1:8 4:5
upgraded 19:7	verbal 8:2 65:8	walk 5:4 18:6	
upgrading 31:15	verbally 65:13 65:20	walked 55:24	
upland 14:5	vessels 52:13	walking 29:19	
uprooted 37:20	vibration 47:16 47:21	walks 55:19	
upsets 44:5	vibrations 60:3	wall 21:24 44:1 46:23 53:2	
urban 40:6 41:3	vice 39:4	walls 41:2	
urges 41:15	videoconfere... 2:6,7,8,9,10,12 2:13,14,15,16	want 5:3,4 6:23 15:1 26:22 33:1 43:20 48:15 49:7,15 50:18 57:8 58:19,20 64:17 65:8 66:1,7 67:13 68:6,12	
usace 22:24	view 21:8 62:25	wanted 24:6 30:8 47:3 56:12	
usage 61:21	views 21:10	wants 60:19 66:8	
use 18:7,9 26:18 35:11 49:4,6 61:17 64:22	virtual 35:6,13 58:7,11 61:7 64:6 65:3 66:12		
	virtually 33:22 35:2 65:21		
	visible 20:21 43:16		

week 39:20 43:11 48:13 weekday 28:16 weekend 31:10 weidner 2:6 62:7,8,15,17,23 welcome 3:3 4:2,8 9:7 51:5 went 28:21 43:9 west 1:2 4:3 6:5 6:18 7:12 8:18 33:6 36:12 39:23 41:22 58:23 64:20 65:15 66:19 68:10 wetland 23:6,7 23:11 white 2:5 3:5 5:20 9:13 10:16,18 wildlife 56:13 56:14 57:2 wish 34:3 44:15 58:22 65:13 wishes 8:6 witness 69:4 wonderful 59:25 wondering 52:23 words 4:4 work 13:3 16:11 25:1,11	26:4 28:3 29:8 29:11,23 30:1 31:11,12,13 48:9 57:12,12 57:19 65:5 worked 52:7 worker 27:19 workers 27:14 working 37:15 works 16:13 world 14:8,8,12 worst 30:13 52:22 wrap 10:11 wreck 43:2 write 57:7 writing 38:7 50:22 58:19 64:18 66:17 68:8 written 4:23 8:17 32:4 33:5 36:11 42:1 58:22 65:15 wrp 18:13 wu 2:18 38:23 38:24	years 4:25 39:16 48:16,17 48:20 52:8 60:4 62:23 67:15,17 yep 54:14 york 1:14 2:12 8:19 16:24 23:8,8 31:14 33:7,7 36:13 51:3,13 52:9 58:25,25 64:22 64:22 65:17,17 66:20,20 68:12 68:12 69:23 yoshimasa 38:5
		z
		zone 13:16 18:12 zones 13:11 22:15 29:11 zoom 35:5 58:10 61:6 64:5 65:2,22 66:12
	y	
	yeah 50:12 62:17 year 14:19 15:10 22:13 26:9 31:16 66:2	

From: Michelle Ashkin <ashkin.consultant@gmail.com>
Sent: Wednesday, October 9, 2024 3:15 AM
To: nwbpcrinfo@bpca.ny.gov
Cc: Michelle Ashkin
Subject: Please add my comments RE: DEIS and other project concerns to be addressed.

Good afternoon.

I hope you will accept my comments for review as per the Public Hearing Wed, Sept. 18th on the Draft DEIS. I understand the deadline was October 7th but was unable to make that deadline due to serious health conditions.

Many of my own concerns were addressed by other speakers at the meeting. They include the following and each is of equal importance.

1. Impact of extreme noise on residents and lack of adequate mitigation.

Based on what I experienced the first two weeks that construction work was beginning on Rector Place it is clear that noise mitigation is not being addressed and that the noise from jackhammers and other machinery is at unsatisfactory and unhealthy levels. I submitted a personal comment about this on the 18th with additional detail. Please review.

2. Impact of poor air quality, particulates, fumes, etc. This must be fully addressed as it is a serious health concern that will unquestionably impact the well being of:

- a) residents who live and work in their homes,
- b) children and elderly who are more susceptible to the health issues related to these types of pollutants
- c) everyone who is consistently exposed to these pollutants for the 5 year duration of this project.

3. Expected Impact to water quality that will potentially cause harm to a protected sanctuary affected by the construction zone. Why is this acceptable? Steps must be taken to prevent the diminishment of water quality and subsequent impact to the Hudson River Estuary, a vital estuary ecosystem which has suffered from decades of toxic pollution and is only beginning to recover.

4. Impact to the value of our rental properties and reduced value to homeowners who want to sell their apartments. This is not being addressed at all. I am greatly concerned about property values and how this will affect my ability to sell my apartment should I find it necessary to move. I am sure I am not alone with this very real concern.

5. Quality of life concerns raised at the meeting The enormous disruption to residents' quality of life including emotional well being resulting from this long-term project has not been addressed in any reasonable or satisfactory way. For at least the next five years of our lives we will be living in an active, noisy, dirty, unhealthy construction zone, deprived of the peace and the beauty that attracted us to this area and motivated us to buy our properties. I cannot imagine how I am going to live here seeing everything I love destroyed, the peace and quiet gone, and the reason for living here becoming a thing of the past. How are we being compensated for the emotional and - for those who want to rent or sell given that they no longer want to live with this ongoing situation - the potential financial burdens they will be forced to endure?

6. The DEIS does not adequately address how, after removing hundreds of trees, the project is going to mitigate major environmental and climate change impacts from the loss of these trees and the ecosystem services they provide. After removing this urban linear forest what is the plan to adequately address the following:

- a) heat island effect created by the removal of mature canopy trees
- b) impacts of increased wind now buffered by existing mature trees.
- c) relief from intense heat now provided by the cool breezes and shade that mature tree canopy provides.
- d) impact on energy costs to cool homes that are currently shaded by trees during the intense heat of summer sun
- e) reduction in CO₂ provided by the mature canopy that will take decades for the newly planted trees to replcate

****** In response to these objections we have been told that trees will grow back and there will be even more trees when the project is completed than are currently here. . ***That does not address any of the above.*** Please note that it is not the number of trees per se that provide these services: *from carbon capture to flood protection and all the other ecosystem services mentioned, these benefits require mature trees with extensive canopy cover. It will take decades for young, newly planted tees to provide the services these trees currently provide.*

7. CO₂ emissions: The enormous emission of greenhouse gases expected from this project - an estimated 44 thousand metric tons - is absurd when you consider that the purpose of the project is to mitigate impacts from climate change. Cutting mature trees and emitting enormous tonnage of CO₂ from construction exacerbate the very problems that created the need for this resiliency project. Concrete production itself is one of the top CO₂ producing industries. For this reason, and for the fact that the impermeability of concrete creates rather than reduces potential flooding from rain water, the use of concrete should be minimized and only used where absolutely necessary, whereas the use of permeable surfaces, which have been tested in a few areas, should be considered for use on a larger scale wherever it is structurally sound to do so.

8. Impact to wildlife, including mammals and birds whose habitat, food sources, nesting materials, nesting areas, and shelter will be completely destroyed must be addressed. There has been no discussion of how to mitigate the impacts to our local wildlife, and how we are going to provide them the resources they require. Reproductive cycles must also be considered in terms of when trees are to be removed. Dozens of species of migratory birds and many native species build nests in the spring. Squirrels give birth in fall and spring and their young require at least 10 weeks of parental care. They cannot survive without trees and without their nests. Artificial nesting boxes ***must be provided and placed in the trees that are not slated for removal.*** This still does not address their need for nest material such as fallen leaves, and food sources which will be completely gone. ***Whether or not the birds and mammals that reside here fall into the category of endangered species does not relinquish the responsibility of BPCA and partners to ensure that they are not killed when trees are destroyed, or left to suffer injury and starvation as a result of this project.***

9. Landscaping options need to offer food sources. The wildlife need berries and acorns. This requires oak trees and other nut bearing and fruiting trees. While your consideration of salt hardy trees is important for replacement of current species, the food trees such as oaks that squirrels need must be readily available.

10. Tree removal and variance: There are quite a number of trees that fall **OUTSIDE** the 15 foot boundary and that do not have to be removed, and yet it appears that this is not even a consideration. The tree removal issue is perhaps one of the greatest and most disturbing issues to everyone, both residents and people who work here. ***We need to identify and mark every tree that does not fall within that 15 foot boundary and determine which of these trees can be saved without creating interference for construction and machinery. We have also been asking for a year for BPCA to apply for the necessary variance that will allow us to plant within that 15 foot limit. Given that this issue is so important please honor this urgent request immediately.***

I would like to close by stressing that ALL of the above are serious concerns that need to be adequately addressed. Each of us who attended these meetings and who have taken the time to submit comments, represent hundreds of residents who share these same concerns.

Again, I would appreciate your willingness to accept these comments for review, My illness and recovery from surgery have prevented me from completing and submitting it by the October 7th deadline

Sincerely,

Michelle Ashkin

Long-time resident and owner at Battery Pointe Condominium since 1997

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.



Hudson River Park Trust
353 West Street
Pier 40, 2nd Floor
New York, NY 10014
P 212.627.2020
F 212.627.9224
hudsonriverpark.org

October 4, 2020

Battery Park City Authority
200 Liberty Street
24th Floor
New York, NY 10281
ATTN: North/West Battery Park City Resiliency Team
and Claudia Filomena, Senior Director of Capital Projects
Email: nwbpcrinfo@bpca.ny.gov

Re: Hudson River Park Trust Comments on the Draft Generic Environmental Impact Statement for the “North/West Battery Park City Resiliency Project”

Dear Ms. Filomena:

The Hudson River Park Trust (“HRPT” or “the Trust”) has reviewed the *North/West Battery Park City Resiliency Project: Draft Generic Environmental Impact Statement* (the “DEIS”) as released by Battery Park City Authority (“BPCA”) on August 28, 2024 and has the following comments on the Proposed Project. Overall, the DEIS addresses many of the comments previously raised by HRPT, beginning with BPCA’s early planning of the Proposed Project several years ago and continuing through current planning meetings with respect to construction that would occur within Hudson River Park and within the Park’s Estuarine Sanctuary.

HRPT is an involved agency and, as acknowledged in the DEIS, BPCA will need a construction permit from HRPT for the work that would occur in the southern portion of Hudson River Park – on both land and in the Estuarine Sanctuary. As currently contemplated, an Easement will also be required for BPCA’s permanent use of a portion of the Sanctuary area and for certain below-ground infrastructure in Hudson River Park and required for the Proposed Project. HRPT writes these comments to reiterate previously discussed commitments required of BPCA, including mitigation of impacts where feasible, that should be reflected in the final design of the Proposed Project as well as in the corresponding permits and approvals needed from various other involved agencies for construction and operation of the Proposed Project.

HRPT's Comments regarding Design and Construction Impacts on the Land Portion of Hudson River Park

First, pursuant to HRPT's early concerns about the Proposed Project's impacts to Hudson River Park ("HRP"), HRPT is pleased that BPCA's preferred alternative for its "Proposed Action" is to locate the flood protection measures on the eastern side of Route 9A and to cross Route 9A near Harrison Street as opposed to earlier plans that would have had the project extended further north into HRP while hugging the adjacent Route 9A bikeway that runs parallel to HRP. HRPT is also pleased that Chapter 1 of the DEIS (Project Description) acknowledges that HRPT will be involved in detailed inter-agency design coordination in the area where the two parks meet as it is important that the aesthetics and pedestrian experience for those entering HRP meets the design standards of HRPT and works logistically for both public benefit corporations and their patrons. Further, Chapter 3.11.1 on Construction also acknowledges that BPCA and its community liaisons will need to work closely with HRPT during construction, particularly related to utility replacement and other disturbances that will affect HRP's operations temporarily.

Nonetheless, BPCA has acknowledged to HRPT that HRP patrons will likely have to endure four to five years of construction in this area in order to construct the Proposed Project. In addition, the Proposed Project will result in permanent impacts to the southern portion of HRP that may affect HRPT's decisions regarding the future use and design of the southern portion of HRP. That said, HRPT also understands the difficult decisions required to balance the impacts to the Park's many users, as well as the residents, businesses and cultural and educational institutions located within and adjacent to Battery Park City with the important long-term goal of protecting lives and property from future storm surge events.

With regard to the specific impacts to HRP, the Figures of the Proposed Project included in the DEIS show that a 48-inch diameter sewer main will be installed below the surface of HRP to connect to an existing combined sewer outfall in HRP's Estuarine Sanctuary (the "CSO") as part of the proposed new pump station. HRPT understands that BPCA is still coordinating with the New York City Department of Environmental Protection ("DEP") regarding the new pump station and below-grade chambers and flood gates associated with the pump station such that the full extent of infrastructure to be built below-grade within HRP may change. HRPT expects that the southern portion of HRP that is currently landscaped with plants and trees will need to be redesigned based on typical DEP restrictions and that such DEP requirements are likely to include limits on planting trees or building permanent structures above and within a buffer zone around the new infrastructure. As previously noted, HRPT requests that BPCA keep HRPT informed so that HRPT can effectively engage with BPCA on the permanent design in this area where the two parks meet.

The Trust appreciates BPCA's efforts to engage the Park's statutorily required Advisory Council (the "AC") about this project. A representative from the AC recently attended the DEIS public hearing to share the group's concerns. Specifically, regarding the pump station infrastructure, the AC requested that BPCA address potential impacts to the Estuarine Sanctuary from the additional flow of stormwater through the CSO from the larger sewer main system. Reducing CSO discharge is an important environmental goal of the federal, state and city governments. If outflow volume is unable to be reduced, the AC has asked that alternatives be considered, such as having the flow be released at a different CSO that is not within the Sanctuary. The planned CSO is located at a point that is surrounded by two bulkhead walls which could result in less dispersion of the stormwater out into the River. HRPT supports the AC's comments and accordingly also requests that potential impacts from the increased outflow and possible mitigation be considered as part of the FEIS.

As HRPT had previously requested, the DEIS qualitatively addresses impacts to bicycle riders on the adjacent Route 9A bikeway and to pedestrians entering the southern end of HRP during construction. Based on the analysis, the DEIS has identified the impacts to pedestrian and bicyclists in the area where the two parks meet as significant and unmitigated during the construction of the Proposed Project (See Chapter 3.11.4 on Construction Impacts and Chapter 4 on Mitigation). As mitigation, BPCA states that bikeway and pedestrian detours will be established through permits issued by New York State Department of Transportation ("NYSDOT") and New York City Department of Transportation ("NYCDOT"). To the extent that detours are proposed on or touching HRP property, HRPT will also need to approve through its construction permit. HRPT requests that BPCA consult with HRPT early in the process and in coordination with the transportation agencies regarding the location, size and design of the proposed detours. It is important that HRPT be involved in decisions on how the public will have access to the southern portion of HRP. HRPT has historically worked well with NYSDOT and NYCDOT on such planning prior to mitigation measures being included in the required NYSDOT permits.

Further, HRPT reminds BPCA that the City of New York installed a commemorative plaque honoring the two Americans whose lives were lost in the terrorism attack that occurred on October 31, 2017 in the landscaped portion of the southeastern border of HRP right next to the Route 9A bikeway. HRPT, New York City, the Belgium and Argentinian Embassies along with members of the Department of Justice and FBI hold an annual memorial procession each October 31st to remember the victims of this horrific crime. The memorial procession along the Route 9A bikeway begins at Houston Street and ends adjacent to Stuyvesant High School with stops at each of the three locations where plaques have been installed to honor the Belgium, Argentinian and American victims. The DEIS does not directly address this important consideration, neither the construction activity on the site nor the operational impact to the annual procession. HRPT knows that BPCA is aware of the sensitivity of this site and that it has flagged this issue for the design teams. HRPT strongly suggest that BPCA reach out to the

families as well as to New York City and HRPT to address plans for this area both related to construction and permanent design.

HRPT's Comments regarding Design and Construction Impacts on the Water Portion of Hudson River Park

The Proposed Project also involves construction of permanent infrastructure within and over the Estuarine Sanctuary, increasing platform coverage into the Sanctuary and reducing HRPT's ability to use a portion of that water area for park purposes, such as boating. While HRPT agrees that the expansion would create a wider pedestrian area and would improve the connection between the two parks, the Proposed Project still results in a permanent impact to the water portion of HRP.

As requested by HRPT, the DEIS does address the multitude of uses at Piers 25 and 26 that may be impacted during construction in Reach 2. HRPT appreciates BPCA's recognition of the public and commercial uses in this area that include beach volleyball and minigolf, non-motorized boating, children's playgrounds, restaurants, marine uses and an upland basketball court and a skatepark. However, the DEIS is unclear on the potential economic impacts of these uses during the Proposed Project's construction. For example, the DEIS states that most of the moorings in the Pier 25 Marina would be temporarily inaccessible during construction of Reach 2 for an approximate 35 months (Chapter 3.11.1, Construction Overview). HRPT and the operators of various businesses will need more clarity on the extent and timing of this construction in order to make important business and operational decisions. For example, if construction is expected to begin in fourth quarter 2025, a key question is whether the moorings south of Pier 25 will be able to operate during the full 2025 season which ends in November. A second question is whether the construction work would impact the transportation vessel operated by Citigroup, or other vessels that use the town dock at Pier 25. Grand Banks, a historic vessel with a food concession, is also located on the southwest side of Pier 25 and may be impacted due to noise and visual impacts during construction. Accordingly, HRPT requests that BPCA commence consulting with us and potentially with all impacted HRP tenants so that the economic impact to the Pier 25 businesses and HRPT along with possible mitigation are considered during the permitting discussions between HRPT and BPCA.

Summary

In sum, HRPT appreciates the many meetings BPCA has scheduled to keep HRPT up to date on project planning and to hear the Trust's concerns. Overall, HRPT believes the DEIS addresses impacts to HRP during construction and operation of the Proposed Project and understands that certain details cannot yet be communicated until BPCA's design and construction plans are further progressed. Two areas that could be addressed however in the FEIS as recommended above includes the potential impacts to the area where two terrorism attack victims are

remembered inclusive of consideration of the October 31st annual memorial procession, and the additional rainwater and sewer flow into the CSO and Estuarine Sanctuary resulting from the new proposed pump station.

HRPT acknowledges that some of the concerns it has raised above and in earlier meetings are best addressed as part of the final design and permitting processes. First, as noted above, HRPT requests to be engaged in the detour plans for the adjacent bikeway and pedestrian accessways when BPCA seeks permits with NYSDOT; HRPT requests to be engaged when BPCA learns of the DEP requirements for the new proposed pump station, particularly as related to the infrastructure to be located in HRP; and HRPT requests to be engaged in the final designs related to the expanded walkway connecting the two parks. Second, plans for long term maintenance and compensation related to BPCA's encroachment into HRP must be addressed in the future easement to be issued by New York State and the construction permit to be issued by HRPT. As BPCA expects to begin construction in late 2025, it is important that the engagement and negotiations begin now so that the permits with planned mitigation that protect HRP are all in place in a timely manner.

HRPT appreciates BPCA's ongoing partnership and looks forward to continuing to work together on this project and others.

Sincerely,

A handwritten signature in brown ink, appearing to read "Robert Atterbury", with a long horizontal flourish extending to the right.

Robert Atterbury
EVP Park Relationships and Programs

Cc: HRPT Board of Directors
Noreen Doyle
Christine Fazio
Kim Quinones
Rob Rodriguez
Kevin Quinn
Robert Nguyen



100 Wall Street
20th Floor
New York, NY 10005

Main: 212.431.8700
Fax: 212.334.1278
foster.com

Direct Phone: 212.965.4513
jeanne.barenholtz@foster.com

January 3, 2025

**VIA EMAIL
AND VIA HAND DELIVERY**

James Gallagher, Esq.
Special Counsel, Capital Projects
Battery Park City Authority
200 Liberty Street, 24th Floor
New York, New York 10281
james.gallagher@bpca.ny.gov

Re: Green Ivy Battery Park Montessori – N/WBPCR

Dear Mr. Gallagher:

As you know, this firm represents Green Ivy Battery Park Montessori (“BPM”). BPM is located in the southwest corner space of the ground-floor commercial condominium unit at 21 South End Avenue in Battery Park City, in the building known as the Regatta Building, where it operates a private nursery school and pre-kindergarten program for 90 infants and young children. For a number of reasons, including its location and the fact that it serves infants and young children, BPM is uniquely affected by the Battery Park City Authority’s (“BPCA’s”) North/West Battery Park Resiliency Project (“N/WBPCR”).

On December 17, we wrote to you to consolidate BPM’s questions and concerns about BPCA’s proposed test pile work at Location 4 and its potential impacts on BPM’s infants and young children, who not only are especially vulnerable to environmental pollutants, but also learn, sleep, and play just steps away from Location 4. We understand that our clients have since resumed their direct communications, and that BPCA will delay its proposed test pile work at Location 4 while it evaluates BPM’s questions and safety concerns. We also understand that BPCA will not issue a final environmental impact statement (“FEIS”) for the North/West Battery Park City Resiliency Project (“N/WBPCR”) until it has fully considered the child-specific exposure pathways and safety concerns identified in the December 17 letter, and that our clients have scheduled a meeting for January 9, 2025, to discuss the potential impacts of BPCA’s proposed test pile work further; and we appreciate BPCA’s consideration of BPM’s perspective on this important matter.

FG: 103205493.3

However, BPCA's proposed test pile work at Location 4 is not BPM's only source of concern related to the N/WBPCR. As BPM expressed to BPCA in early December, BPM also has serious concerns that BPCA's proposed Reach 6 wall design will block BPM's emergency egress—thereby precluding BPM from operating safely or legally in its current space—or block BPM's west-facing views and access to sunlight, which are part and parcel of BPM's Montessori curriculum and the educational and childcare services that BPM's families depend on BPM to provide. Likewise, BPM has serious concerns about BPCA's proposed construction work near BPM and the problems it creates for keeping BPM's infants and young children safe. According to the DEIS, BPCA will spend months, if not years, performing extremely noisy, dusty construction work in Reaches 6 and 7, which run along BPM's west and south sides, respectively. Indeed, parts of Reach 6 (and possibly Reach 7) are as close, if not closer, to BPM as Location 4. And while BPM prizes its current location and wants nothing more than to continue operating there, BPM struggles to see how it would be able to provide a safe and nurturing environment for infants and young children, let alone comply with New York's requirements for quiet rest and outdoor play, during this time.

Compounding these concerns is that these issues have only recently been brought to light; and if, as BPM fears, the N/WBPCR will displace BPM permanently or temporarily, BPCA's current proposed project timeline would not give BPM enough time to relocate before construction starts. Unfortunately, as with BPCA's proposed test pile work at Location 4, BPM did not learn about the contours of BPCA's planned work in Reaches 6 and 7, or that BPCA had issued a draft environmental impact statement ("DEIS") for the N/WBPCR, until late November. Still, BPM promptly alerted BPCA to its concerns, and secured a meeting with BPCA's president and CEO on December 6 to discuss potential solutions. While these conversations did not gain the momentum that we had hoped for in the first half of December, following our clients' December 18 conversations, we understand that BPM is now invited to compile its questions and concerns about BPCA's current plans for Reaches 6 and 7 for BPCA's further consideration. We also understand that despite our clients' earlier discussions about relocation, BPCA now shares BPM's goal of identifying solutions and alternatives that would enable BPM to continue operating safely and legally in its current space, and we are heartened by this development.

Further to these conversations, and in advance of BPCA's board meeting on January 8, we write to consolidate BPM's initial reactions to the DEIS and most critical questions and concerns about BPCA's proposed Reach 6 wall design and Reach 6 and Reach 7 construction work.

Courtyard Egress. BPM is deeply concerned that BPCA's proposed Reach 6 design and/or construction work will make it impossible for BPM to use its courtyard as a means of egress that meets New York's egress requirements for preschool and childcare programs, which, in turn, would make it impossible for BPM to operate legally or safely in its current space. Specifically, to comply with the Department of Health ("DOH") Code, preschool and childcare programs in New York City must have two unobstructed emergency exits that are separated by at least half of the diagonal dimension of the occupied space of the building.¹ These exits must also meet the New York City Building Code, and compliance

¹ DOH Code Article 47 at § 47.41; 18 NYCRR § 418-1.4(f); 18 NYCRR § 418-2.7(o)(5).

with both sets of regulations is needed to obtain (and retain) a license to operate a preschool or childcare program.

Currently, BPM has two emergency exits on its south side, and one on its west, which uses BPM's courtyard and the adjoining courtyard that runs north along the west side of the Regatta Building as an exit path. But as the attached diagram illustrates, the exits on BPM's south side are too close to one another to meet DOH's separation requirement. Rather, BPM must maintain at least one exit on BPM's south side and one on its west. And if BPCA's project design intrudes too far into BPM's courtyard egress, or if BPCA's construction work obstructs it, BPM would not be able to meet a fundamental legal and safety requirement of its license. This is an existential issue for BPM. As a result, further clarity is needed to determine how BPCA's proposed Reach 6 design or construction would impact BPM's courtyard, and whether these impacts would have the effect of displacing BPM. To this end, it would be helpful if BPCA could provide answers to the following questions:

- Has BPCA considered that BPM cannot operate safely or in compliance with its operating licenses or state and local regulations without a legal means of egress on the west side of its space?
- Would BPCA's proposed Reach 6 wall design decrease the width of the courtyard that runs along the west side of the Regatta Building at any point? If so, where? And by how much?
- Would BPCA's proposed Reach 6 wall be situated at least 48 inches away from the exterior wall of the west side of the Regatta Building?
- If not, has BPCA considered design alternatives that would leave at least 48 inches of clearance between BPCA's proposed Reach 6 wall and the exterior wall of the west side of the Regatta Building?
- To comply with New York Building Code, parts of BPM's courtyard space may need to be even wider than 48 inches to account for the swing of BPM's exit door. Would BPCA's proposed Reach 6 wall design provide this additional clearance? If not, has BPCA considered design alternatives that would do so?
- Would BPCA's proposed Reach 6 design otherwise obstruct any portion of the courtyard along the west side of the Regatta Building? If so, how? And has BPCA considered design alternatives that would avoid this obstruction?
- Even if BPCA's Reach 6 project design would not permanently preclude BPM from using its courtyard and the adjoining courtyard as a legal means of egress, would BPCA's proposed Reach 6 construction work temporarily obstruct BPM's courtyard egress?

- If so, what would be the nature of the obstruction? Has BPCA considered any alternatives, such as placing construction materials and equipment on the esplanade side of the existing privacy wall, that would keep BPM's courtyard egress clear?
- To the extent that there are portions of BPCA's proposed construction work that cannot be performed without blocking BPM's courtyard egress, how long would these portions take to complete? Has BPCA considered limiting this work to weekends or periods when BPM is closed for vacation?
- Has BPCA considered that, in addition to meeting New York Building Code requirements, BPM must satisfy DOH that its second means of egress is safe and appropriate for young children?
- Has BPCA considered that DOH must approve any changes to BPM's current egress plan?
- If so, has BPCA considered that this approval could take months to obtain? And that even if approval is ultimately granted, BPM would not be able to operate in its current space in the interim? How does BPCA plan to address this issue?
- Has BPCA considered that BPM also uses its courtyard as an outdoor play area for infants and young children? And that BPM is required by law to provide its infants and young children with a safe and easily accessible outdoor play area, and daily opportunities for outdoor play?²

Construction Noise. Even if the N/WBPCR does not interfere with BPM's courtyard egress, BPM is concerned that BPCA's proposed construction work in Reaches 6 and 7 will expose BPM's infants and children to unsafe and unacceptable noise and vibrations if BPM does not relocate during construction. Further clarity is needed to determine whether adequate safeguards could be implemented to protect BPM's infants and children from harmful noise effects during some or all of this construction. To this end, it would be helpful if BPCA could provide answers to the following questions:

- With respect to Reach 6, the DEIS states that BPCA's proposed construction would expose BPM to "clearly unacceptable" noise for up to eight months.³ Has BPCA considered ways to mitigate this noise and its potential impacts on BPM's infants and young children? If so, what?
- The DEIS's analysis of noise impacts of Reach 6 construction work on BPM appears to be limited to BPCA's proposed construction work in Stage 6C.⁴ Has BPCA considered that noise and vibrations emanating from Stages 6A, 6B, and 6D could also have harmful impacts on

² 18 NYCRR § 418-2.7(a), (h).

³ DEIS at 3.11.7-23.

⁴ *See id.*

BPM's infants and young children? And that if so, BPCA's Reach 6 construction work could expose BPM's infants and young children to harmful noise levels for 14, rather than eight, months?

- How close to BPM would BPCA's proposed demolition work in Stages 6A, 6B, and 6D take place? What about BPCA's proposed drilling for pile installation in these Stages? Or platform reconstruction?
- Has BPCA considered that construction activities that are not as noisy as demolition/excavation, drilling, or platform reconstruction, may still have harmful effects on infants and young children?
- Has BPCA considered that infants and young children are especially susceptible to noise, since their auditory systems are still developing? Or that young children's external ear anatomy differs from adult anatomy; and smaller ear canals more greatly intensify high-frequency sound?
- Has BPCA considered that noise can negatively impact young children's sleep and learning and have harmful physiological effects?
- Has BPCA considered that noise may be especially harmful to younger children who are developing language and auditory discrimination skills?
- Has BPCA considered that BPM is required by law to provide its infants and young children with developmentally appropriate periods of quiet rest?⁵
- Will BPCA's proposed Reach 6 construction work include construction activities other than demolition/excavation, drilling, pile installation, and platform reconstruction? If so, what? What equipment would be used? How much noise would this equipment generate? How long will these activities take to complete?
- The DEIS posits that BPM's insulated glass windows and through-wall air conditioning units would provide at least 30 dBA of window/wall attenuation, resulting in indoor noise levels up to approximately 50 dBA. Has BPCA tested this hypothesis?
- Has BPCA considered that constant background noise levels of 50 dBA may impair infants' and young children's sleep and learning? Or that the American Academy of Pediatrics has recommended that early care and education settings accommodate young children by keeping the decibel level at or below 35 dB for at least 80% of the time?

⁵ 18 NYCRR § 418-2.7(k).

- Has BPCA considered that, setting aside indoor noise levels, BPM is required by law to provide its infants and young children with adequate, easily accessible outdoor play areas and daily outdoor play?
- Has BPCA considered that even short exposures to loud noise can have harmful effects on infants and young children?
- With respect to Reach 7, the DEIS states that BPCA's proposed construction work "would result in significant adverse noise impacts at construction-facing façades of residential buildings along Reach 7."⁶ Although Reach 7 starts at BPM's corner and runs along BPM's south wall and terrace, the DEIS does not identify BPM or the Regatta Building as a potential receptor of Reach 7 construction noise. Has BPCA considered that BPM is a construction-facing façade along Reach 7?
- How close to BPM's south wall and terrace is Stage 7A located? What about Stage 7B? 7C?
- Has BPCA considered that construction work in Reach 7 could expose BPM's infants and young children to harmful levels of noise?
- Will BPCA's construction work in Reach 7 involve construction activities other than demolition/excavation and pile installation? If so, what? What equipment and procedures will be used? How long will these activities take to complete?
- With respect to mitigation, the DEIS focuses on limiting construction activities to weekdays between the hours of 7am and 6pm. Has BPCA considered that BPM operates during these hours? And that as a result, this timing will not have a mitigating effect on BPM's infants and young children?
- Has BPCA considered performing noisy construction activities overnight or on weekends instead?
- Has BPCA considered implementing additional mitigation measures, such as noise blankets or noise walls?
- Has BPCA considered whether its construction equipment can be modified to further reduce noise?
- Has BPCA considered that noise caused by construction-related traffic could have harmful impacts on infants and young children?

⁶ DEIS § 3.11.7 at 3.11.7-25.

- Has BPCA considered the cumulative impacts of construction-related traffic noise and noise caused by on-site construction activities?
- Does BPCA have contingency plans if construction noise is louder than anticipated? Or if BPCA's noisy construction activities cannot be completed on schedule?
- Has BPCA considered that vibrations from pile drivers and other equipment used in Reaches 6 and 7 may be perceptible to BPM's infants and young children, and may impair their ability to sleep and learn? How does BPM propose to mitigate these vibrations?
- To the extent that some amount of prohibitive daytime construction noise and vibrations may be unavoidable, can this work be limited to weekends or periods when BPM is closed for vacation?
- If not, can this work be scheduled so that BPM has enough lead time to relocate?

Fugitive Dust. Likewise, BPM is concerned that if it remains in its current space, BPCA's proposed construction work in Reaches 6 and 7 will endanger BPM's infants and children by exposing them to harmful amounts of fugitive dust and particulate matter. Although BPCA has proposed some mitigation measures, further information would be helpful to determine whether additional safeguards may be needed to protect BPM's infants and young children.

- As noted in our December 17 letter, BPCA's analysis of soil samples taken near BPM identified excessive levels of lead,⁷ PCBs, and SVOCs,⁸ exposure to which may cause negative health consequences for infants and young children. Has BPCA analyzed the likelihood that areas of Reaches 6 and 7 near BPM may also contain these dangerous contaminants?
- Has BPCA considered that Reach 6 construction work along BPM's perimeter may place areas where BPM's children learn, sleep, and play in the "exclusion zone," meaning that these areas will be considered contaminated or potentially contaminated?⁹

⁷ See, e.g., <https://media.bpca.ny.gov/wp-content/uploads/2024/08/27164800/Appendix-F-Hazardous-Materials-F.2-Hazardous-Materials-RAP-CHASP-2024.pdf> at p. 334 (noting excessive levels of lead at site SB-25).

⁸ See, e.g., <https://media.bpca.ny.gov/wp-content/uploads/2024/08/27164757/Appendix-F-Hazardous-Materials-F.1a-Soil-Groundwater-Sediment-Report-2024.pdf> at p. 35 (noting excessive PCBs and SVOCs).

⁹ DEIS Appendix F.2, CHASP p. 15.

- Has BPCA considered that while construction workers in the exclusion zone would be required to use appropriate PPE,¹⁰ infants and young children cannot be expected to do so? Or that occupational standards are not meant to apply to infants or young children?
- Has BPCA considered that what is safe for adult construction workers may not be safe for infants and young children?
- Or that the standards embodied in the Restricted-Residential Soil Cleanup Objectives do not contemplate the presence of infants or young children during construction work?
- Has BPCA considered that infants and young children—whose respiratory systems are still developing, and who consume more air per unit of body weight than adults—are particularly vulnerable to dust and air pollution?
- Has BPCA considered that infants and young children have certain behavioral characteristics—such as crawling, playing on the floor, and putting their hands or objects in their mouths—that make them more likely to ingest dust?
- Or that the breathing zone of young children is closer to the ground, where respirable particles tend to accumulate?
- Has BPCA considered that there is no safe amount of lead exposure for children? Or that exposing infants and young children to PCBs and SVOCs may have negative effects on development?
- If BPCA has considered the above, what plans is BPCA going to implement to mitigate the risks, particularly to the young children who will be in the vicinity?
- Has BPCA considered that construction work that does not place BPM in the “exclusion zone” may nonetheless expose BPM’s infants and children to harmful fugitive dust or particulate matter?
- Has BPCA considered that fugitive dust generated more than 30 feet away from BPM may still enter and settle in areas, such as BPM’s outdoor play areas, where BPM’s infants and young children may be exposed?
- Has BPCA considered that BPM’s air conditioners or ventilation systems may provide additional pathways for fugitive dust to enter BPM’s indoor classroom areas?

¹⁰ *Id.*; see also DEIS Appendix F.2 at p. 132 (“exposure controls/personal protection”).

- Has BPCA considered that water spray during active drilling may not prevent fugitive dust from entering BPM's environment after active drilling has stopped?
- Has BPCA considered that water spray may cause mud or water containing contaminated dust or dangerous material to enter BPM's outdoor play areas?
- How does BPCA intend to take "extra care" to prevent fugitive dust during windy periods?¹¹ Has BPCA considered that the South Esplanade and South Cove tend to be windy? Or that wind in these areas can pick up quickly?
- What does this extra care entail? Has BPCA considered implementing this heightened level of care as the standard level for construction activities near BPM?
- Has BPCA considered sealing areas where dust-creating or ground-disturbing construction activities are taking place?
- Has BPCA considered whether its construction equipment can be modified to reduce fugitive dust?
- How does BPCA plan to monitor ambient air quality during construction work? Does BPCA plan to use TST Dust Trak aerosol monitors to monitor ambient air quality for PM-2.5 or PM-10 particles in real time? What about VOCs?
- Has BPCA considered that construction-related traffic could generate emissions that are harmful to infants and young children?
- Does BPCA intend to monitor ambient air quality near BPM? Or have a plan for notifying BPM of exceedances?
- BPCA's Remedial Action Plan ("RAP") states that if nuisance dust emissions are identified, work will be halted and will not resume until all nuisance dust emissions have been abated. What qualifies as a nuisance dust emission under the RAP? Does this standard take child-specific sensitivities into account?
- Does BPCA have a plan for notifying BPM of nuisance dust emissions? Apart from identifying nuisance emissions, does BPCA have any other plan for monitoring fugitive dust migration? If so, what?

¹¹ DEIS Appendix F.2, RAP § 3.11 p. 15.

- Has BPCA considered performing ground-disturbing when BPM is closed to reduce exposure pathways? If so, does BPCA have a plan for cleaning BPM's outdoor play areas following construction work?
- If not, can this work be scheduled so that BPM has enough lead time to relocate?

Shadow Impacts. Even if BPCA's Reach 6 wall would not block BPM's courtyard egress, BPCA's current Reach 6 design would almost certainly block BPM's views and access to sunlight on the west side of BPM's space by placing nondeployable, seven-foot wall along the outside edge of BPM's courtyard. As a Montessori program, BPM is dismayed by this design choice. The Montessori method emphasizes learning through nature and views the classroom environment as a key component of a Montessori curriculum. To this end, BPM has taken great care to design an airy, light-filled physical space that connects BPM's children to nature through outdoor play areas, river views, and access to sunlight; and BPM uses these natural elements of its physical space to inform its program. Blocking BPM's entire western exposure would significantly change the feel and function of BPM's carefully designed, light-maximizing space, and the DEIS does not appear to analyze these impacts of BPCA's design choice. Additional information would be helpful to understand BPCA's decision making process, and to determine whether other design alternatives might be possible. For example:

- The DEIS describes BPCA's proposed Reach 6 wall as either running parallel to or replacing "the existing masonry wall" that borders BPM.¹² Has BPCA considered that the portion of the existing privacy wall that is visible from BPM's windows is not masonry, but rather wrought iron fence, which does not obstruct BPM's west-facing views or access to sunlight?
- Has BPCA considered that BPM's classroom areas must meet minimum natural light level requirements? Or that insufficient exposure to natural light may be detrimental to infants' and young children's visual acuity and brain development?
- Has BPCA considered that replacing the existing privacy wall with a solid, seven-foot-high wall would completely block BPM's west-facing views and obstruct BPM's classroom area's access to sunlight?
- Has BPCA considered that replacing the existing privacy wall with a solid, seven-foot-high wall would significantly darken BPM's courtyard play area?
- Has BPCA considered that BPM is a sunlight-sensitive resource because its views and sun-filled physical space are part and parcel of BPM's Montessori curriculum? Or that BPM's courtyard play area is a sunlight-sensitive feature of BPM?

¹² DEIS § 1 at 1-17.

- Has BPCA considered that blocking BPM's west-facing views and access to sunlight would change the feel and function of BPM's classroom and outdoor space?
- BPCA has issued environmental guidelines that direct Battery Park City's commercial tenants to "maximize access to daylight and views to the outdoors" and "whenever possible integrate indoor space with the outside environment."¹³ Has BPCA considered that BPCA's proposed use of a nondeployable wall along BPM's west-facing courtyard is inconsistent with these guidelines?
- Has BPCA considered Reach 6 design alternatives, such as deployable gates, that would maintain BPM's west-facing views and access to sunlight? If so, what?

Drainage. Based on BPM's conversations with BPCA, BPM is also concerned that BPCA's proposed Reach 6 design will expose BPM's infants and young children to unsafe or unsanitary conditions by building a drainage system in or along BPM's courtyard, which BPM uses as an outdoor play area for BPM's infants and young children. Although the DEIS mentions drainage improvements in Reach 6, it does not consider if or how these improvements will impact BPM or BPM's infants and young children. Answers to the following questions would be helpful for BPM to determine if and how BPCA's proposed drainage improvements in Reach 6 will impact BPM's infants and young children:

- Does BPCA intend to implement a drainage system or drainage improvements along the west side of the Regatta Building?
- If so, would any part of this system be located in or near BPM's courtyard? Or include grates or other open elements in or near BPM's courtyard?
- Would BPCA's proposed drainage system be connected to the New York City sewer system? Has BPCA considered the likelihood that sewage could back back up or overflow into BPM's courtyard play area?
- Has BPCA considered that placing a drainage system in BPM's courtyard may create a safety hazard for BPM's infants and young children? Or prevent BPM from using this courtyard as a safe, easily accessible outdoor play area for BPM's infants and young children?
- If so, does BPCA have a plan for mitigating these impacts?
- Has BPCA considered design alternatives? If so, what?
- Similarly, does BPCA intend to implement a temporary drainage system along BPM's courtyard for construction effluent produced during Reach 6 construction?

¹³ https://bpca.ny.gov/wp-content/uploads/2015/03/Commercial_Guidelines.pdf at p. 31 § 5.5.

- If so, has BPCA considered that this construction effluent may contain contaminated dust, dirty water, or other material that may be harmful to BPM's infants and young children?
- Has BPCA considered that construction effluent from BPCA's construction along BPM's courtyard and other areas may flow into BPM's courtyard or outdoor play areas?
- Does BPCA have a plan to prevent or mitigate these impacts? If so, what?

Community Impacts and Neighborhood Character. Although BPM hopes to remain in its current location, it is possible that aspects of the N/WBPCR or its construction will displace BPM from its current location, at least temporarily. Given this reality, further information would be helpful to determine whether BPCA has fully considered the impact of the N/WBPCR on BPM and its effects on the surrounding community. For example:

- BPM is a longtime member of the Battery Park City community and offers the neighborhood's only trilingual Montessori program. Has BPCA considered that displacing BPM would displace an important community resource?
- Has BPCA considered that displacing BPM will not only decrease the community's access to Montessori-based childcare and early education, but also decrease the overall availability of childcare and preschool resources in the community?
- Has BPCA considered that displacing BPM and its 90 early care and education seats could strain other childcare, nursery school, and preschool facilities in the community?
- Has BPCA considered that displacing BPM could leave the families of BPM's 90 infants and young children struggling to find childcare? Particularly if other childcare facilities along Reach 6 are also displaced during construction?
- Has BPCA considered that BPM's enrollment cycle for 2025 has already started? And that families are already relying on BPM to provide childcare and preschool services in 2025?
- Has BPCA considered that BPM is leader in the Montessori community, which relies on BPM to train teachers in the Montessori method? And that displacing BPM would have ripple effects on the availability of Montessori education programs in other places?
- Has BPCA considered that finding and building out an adequate alternative location where BPM could continue operating and serving infants and young children of Battery Park City could take 18 months or more?
- Has BPCA considered that Battery Park City is a family friendly neighborhood? And that access to local preschool and childcare programs is an important component of Battery Park City's family-friendly character?

- Has BPCA considered that BPCA's current construction timeline does not give BPM enough lead time to find a suitable alternate location?
- How does BPCA intend to mitigate these impacts?

We thank BPCA for this opportunity to memorialize BPM's questions and concerns for BPCA's further consideration. Please let us know if BPCA intends to address the above questions and concerns at the January 9 meeting, or if BPCA would prefer to set another meeting to do so. In addition, as many of the above questions and concerns are technical in nature, please also let us know if it would be helpful to coordinate a meeting with BPCA's engineers and our technical consultants. We are buoyed by BPCA's commitment to protect BPM's infants and children from harm and by BPCA's desire to explore solutions that will enable BPM to continue operating the safe and nurturing Montessori program that it is known for, and we look forward to the parties' continued constructive dialogue on these important topics.

This letter is without waiver or relinquishment of BPM's rights with respect to the N/WBPCR. We note that although BPM was unable to submit comments to the DEIS during BPCA's formal comment period (having received no notice of it), we believe that the above questions and concerns reflect areas that were improperly overlooked or inadequately addressed in the DEIS. While our hope and expectation is that BPCA will not issue an FEIS before fully and carefully considering these issues, all of which were previously raised to BPCA in early December, please note that BPM remains prepared to seek judicial relief if needed to protect BPM's infants and young children from harm and will consider taking legal action to challenge any FEIS that does not take the requisite hard look at the N/WBPCR's impacts on BPM or BPM's infants and young children or provide a reasonable basis for its determinations.

We look forward to hearing from you.

Sincerely yours,

FOSTER GARVEY PC

/s/ Jeanne C. Barenholtz

Jeanne C. Barenholtz

Principal

cc: Maurice W. Heller, Esq.
Bob Sterbank, Esq.
Raju Mann, Eric Munson
Allie Atlas
Gaby Rowe

From: Graeme Birchall <Graeme_Birchall@verizon.net>

Sent: Sunday, October 27, 2024 8:32 PM

To: Northwest Resiliency <nwbpcrinfo@bpca.ny.gov>

Subject: Battery Park Authority Resiliency Project - pump capacity analysis

To Battery Park Authority;

I have done some back-of-the-envelope calculations on the capacity of the discharge pump that will be installed as part of the Battery Park Authority Resiliency Project. The pump capacity does not seem to be sufficient for the need. First some facts:

- The pump capacity is 60 million gallons per day.
- This equals 2.5 million gallons per hour.
- On August 18 2024, 3.7 inches of rain fell on Morristown NJ in one hour.

To convert the above to the metric system:

- There are 264 gallons per cubic meter.
- There are 39 inches per meter.

Now to convert:

- The pump capacity is 10,000 cubic meters per hour.
- On August 18, Morristown NJ got 0.09 meters of rain in one hour.

A quick look at Google Maps suggests that the catchment basin that the pump will serve is approximately 1,000 meters long, by 500 meters wide. This works out to 500,000 square meters. If 0.09 meters of rain falls on Lower Manhattan in one hour, there will be 47,000 cubic meters of rainwater in this area. Some of it will soak into the ground (not much), and some of it will be taken over to Brooklyn via the sewers (also not much), but most of it will need to be pushed uphill into the harbor by a pump that can only handle 10,000 cubic meters per hour. Please explain.

To be fair, the type of weather scenario that I have described above (i.e. intense rainstorm, plus storm surge) is unlikely to occur soon. But it will occur, and with increasing frequency, as the sea-level rises and the climate changes. It is precisely the kind of future weather event that the Battery Park City Resiliency Project is supposed to protect against, yet it seemingly can't.

I chose the August 18 rainstorm in Morristown as an example, not because it was especially intense, but because it was the only hourly rainfall data that I could find quickly. But I recently attended a talk by the head of the City of Newark sanitation department, who said that on the same day, some parts of Newark got more than 12 inches of rain in 22 minutes. The same is probably true for what Hurricane Helene recently dumped on Asheville NC, but again, I could not find any referenceable data.

The documentation for the Battery Park Authority Resiliency Project should state the maximum rainfall per hour that the discharge pump is designed to handle. It should compare that metric to recent intense rainfall events throughout the country.

References

- Morristown Airport NJ rain gauge historical data:
<https://waterdata.usgs.gov/monitoring-location/404751074250601/#parameterCode=00045&showMedian=true&startDT=2024-08-18&endDT=2024-08-18>
- North/West Battery Park City Resiliency Project:
https://bpca.ny.gov/nwbpcr_resiliency/environmental-review/
- North/West Battery Park City Resiliency Project, sewer report:
https://media.bpca.ny.gov/wp-content/uploads/2024/08/28162923/3.7_Water_and_Sewer_Infrastructure.pdf

Thanks / Graeme

Graeme Birchall

Caroline Ibarra

From: R J Bogumil <rjbogumil@gmail.com>
Sent: Monday, October 7, 2024 10:27 PM
To: nwbpcrinfo@bpca.ny.gov; Alison Simko; man01@cb.nyc.gov
Subject: BPCA NWBPCR 9/18/2024 DEIS Presentation Critique
Attachments: BPCA NWBPCR dEIS Critique RJBogumil.pdf; BPCA NWBPCR 20240620 Presentation Critique RJBogumil.pdf; NWBPCR_30%_Critique_rjbogumil.pdf

BPCA NWBPCR 9/18/2024 DEIS Presentation Critique

October 7, 2024

Moving the NWBPCR flood barrier system (FBS) project expeditiously forward, on September 18, 2024, BPCA held another public meeting-- to announce completion of a Draft Environmental Impact Statement (DEIS); backdated to August, providing the illusion of a month for public comment, before an October 7 deadline. The dEIS is a relatively large, formal document, with a 40 page Executive Summary, 144 page Chapter 1 Project Description, 151 page Final Scope of Work Appendix A, and approximately 40 additional chapters and sections of varying length-- following a NYS (SEQRA) and City (CEQR) prescribed template. Under pressure of time, and because the greatest adverse project impact will be felt in Reach 6, the South Esplanade, that is the focus of commentary below.

[BPCA NWBPCR dEIS ApdxE-2 Tree Inventory]

BPCA NWBPCR dEIS Appendix E.2 Tree Inventory
NWBPC Tree Removals and New Tree Plantings

Reach	Conditions removal (due to tree health, should happen regardless of project)	Design/ Construction Removal	Tree Removals - DPR Jurisdiction	Total	Potential trees for transplant (included in removals)	Removals Assumed for EIS	New Trees	New Trees - DPR Jurisdiction	New Trees Assumed for EIS
1	5	52	23	57	3	60	23	19	20
2	1	27		28	1	30	57		60
3	4	33		37		40	58		60
4	0	26		26		30	48		50
5	15	83		98	3	100	74		70
6	15	120		135	10	140	154		150
7	4	29		33		30	44		40
Total	44	370		414	17	430	458		450

Through the mandated EIS, under city and state law, BPCA contractors certify that, upon project completion, they anticipate no adverse long term environmental impact; e.g., in the sense that public parkland will remain parkland, despite a transformative loss of mature South Esplanade trees. Given the broadly recognized need for flood protection, a lack of feasible alternatives to the proposed basic design, and with NWBPCR providing merely one segment of a connected/integrated lower Manhattan floodwall, with timely completion of each and every component essential to the whole-- project approval is a foregone conclusion.

Why then take your time to read, let alone write a critique of a much needed, multibillion dollar public works project that, realistically, will not now be fundamentally altered?

There are relatively minor, yet consequential design issues which have been repeatedly glossed over in BPCA NWBPCR presentations. Design choices that could easily be revised under pressure from well

informed public feedback. However, as outlined below, BPCA 30%, 40%, and 60% design, as well as dEIS presentations have been carefully stage-managed to limit public engagement.

BPCA NWBPCR dEIS Critique RJBogumil.pdf - attached: 7 pages with 8 figures
also attached for convenient reference:
BPCA NWBPCR 20240620 Presentation Critique RJBogumil.pdf
NWBPCR_30%_Critique_rjbogumil.pdf

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

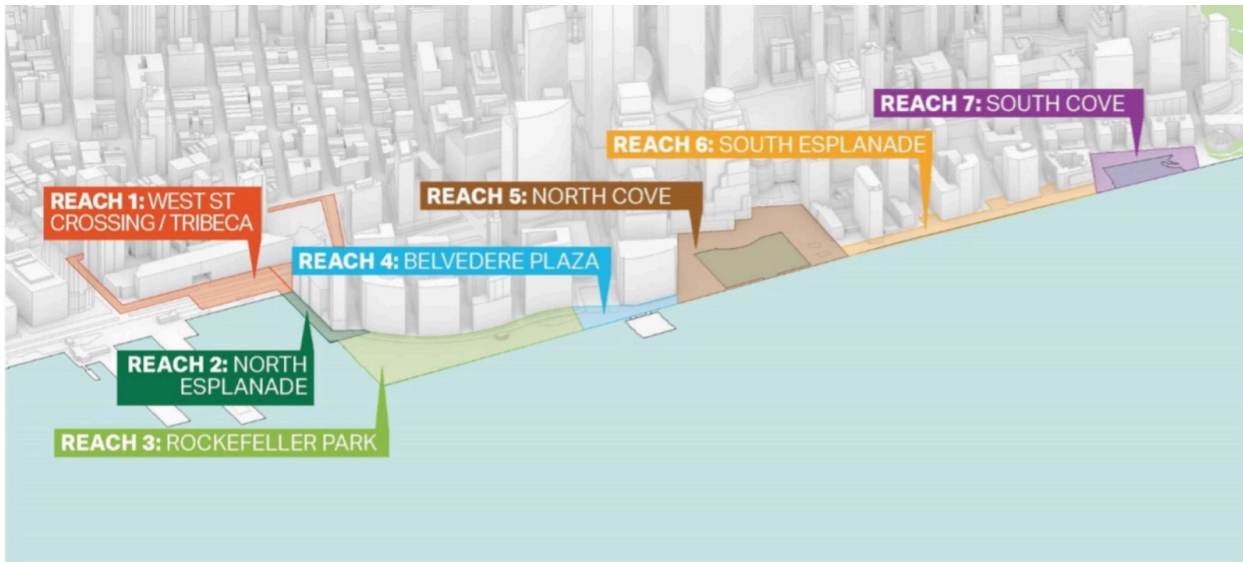
COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Comments on Battery Park City Authority North West Resiliency Project (BPCNWRP)
Draft Environmental Impact Statement (DEIS)



WHEREAS: The North West Battery Park City Resiliency Project (NWBPCR) is a proposed integrated coastal flood risk management system divided into 7 “Reaches” covering the areas from South Cove to First Place, north along the Battery Park City North Esplanade, across to the east side of West Street/Route 9A, terminating above Chambers Street at a high point on Greenwich Street in Tribeca; and

WHEREAS: On August 28, 2024 the Battery Park City Authority (BPCA) released the project’s Draft Environmental Impact Statement (DEIS), as required by the State Environmental Quality Review (SEQR) Act. The DEIS is designed to analyze the potential environmental impacts of the proposed project; and

WHEREAS: Comments on the DEIS are based on the community’s response provided at CB1’s Battery Park City Committee meeting on September 5, 2024, Environmental Protection Committee meeting on September 16, 2024, Executive Committee meeting on September 19, 2024 and on the public testimonies provided at the BPCA public meeting on the DEIS on September 18, 2024; and

WHEREAS: CB1 retained the services of George M. Janes & Associates, planning consultants, to assist with the community analysis and public comment on the BPCA North West Resiliency Project DEIS; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 states that the following is the Board’s official comment to the Battery Park City North West Resiliency Project Draft Environmental Impact Statement:

EIS TOPICS

[3.0 Project Description](#)

[3.1 Land Use, Zoning and Public Policy](#)

[3.2 Open Space](#)

[3.3 Historic and Cultural Resources](#)

[3.4 Urban Design and Visual Resources](#)

[3.5 Natural Resources](#)

[3.6 Hazardous Materials](#)

[3.7 Water and Sewer Infrastructure](#)

[3.8 Transportation](#)

[3.9 Greenhouse Gas Emissions and Climate Change](#)

[3.11 Construction](#)

[4.0 Mitigation](#)

[5.0 Alternatives](#)

OTHER TOPICS

[Public Engagement Process](#)

[Operations and Maintenance](#)

[Miscellaneous Impacts](#)

3.0 Project Description

The FEIS should include a detailed description with images showing scale, and specific materials most often used for the proposed flood barrier systems.

3.1 Land use, Zoning & Public Policy

Consistency with all federal, state, city and BPCA plans:

The DEIS claims that the proposed project is consistent with the Battery Park City Master Plan and the Battery Park City Sustainability Plan/Sustainability Implementation Plan, but it does so qualitatively and simply asserts that it is consistent.

The FEIS should provide details regarding how the proposed project is consistent with the Master Plan, the Sustainability Plan and its Implementation Plan. These details should include data that demonstrates the consistency that is asserted.

Additionally, the FEIS should include a consistent assessment not only of the final built project but should also include the process of construction and demolition of the project and the impacts of those actions. For example, the act of demolishing existing features in the project area, and constructing new ones will create substantial GHG emissions. How are these actions consistent with the existing sustainability plans? Further, components of the plan, such as the new pump house, should be evaluated in the context of existing plans to determine whether certain elements of the project may not be consistent, even though the overall project may be.

The FEIS should provide details describing the proposed project's consistency with the all federal, state and city plans for this area, including all plans for Route 9A. This information should be added to Table 3.1-2, *Summary of Public Policies and Project Compliance*.

3.2 Open Space

Usability

The FEIS should demonstrate how the proposed actions change the usability of the open space. It should discuss how the space is used now, how it will be used in the future, and the difference between how the spaces can and will be used.

For example, how will the change in the number and location of trees impact the shading and usability of the open space?

Trees

The proposed project will remove 420 trees and replace them by planting approximately 390 new trees and potentially replanting approximately 17 existing trees. The FEIS should provide a table detailing the size of trees being removed compared with the size of their replacement trees. The table should show both existing and proposed tree sizes and species.

If replacement trees are not of the same size/species, the FEIS should disclose how long it will take before the replacement trees grow to the size of the trees being removed.

The FEIS should make clear how many of the 420 trees being removed will be demolished, and if re-used, where.

3.3 Historic and Cultural Resources

Please include the Phase 1B archeological assessment to the FEIS Appendix.

Please provide more information about how the historic bulkhead will be removed and salvaged.

Please include the Community Board as an interested agency in your communication with LPC and SHPO regarding the removal and salvage of the historic bulkhead.

Please provide the Community Board a copy of the Construction Protection Plan that ensures historic architectural resources will be fully protected.

3.4 Urban Design and Visual Resources

The DEIS includes existing conditions photographs and renderings of the proposed action in images that appear as Figures 3.4.57 through 3.4.82. These renderings are supposed to be in the same location and show the same view as the photographs, but they do not effectively communicate how the proposed project will impact the view from these locations. The problem is that these renderings are not photosimulations. These are entirely simulated views and many parts of the simulations look different from the existing conditions photographs even though no change is proposed on some of the components of the view.

For example, consider the following images (DEIS 3.4-63).

6.25.36



No Action Condition



Proposed Project

Illustrative Rendering

View 6 (Reach 1A-6), View Southwest from Hudson River Park

NORTH/WEST BATTERY PARK RESILIENCY **Figure 3.4-63**

There are many technical issues with this image including:

The lighting is completely different; the trees are represented in different seasons; the quality of the water changes to a color less muddy. The images should show the same time of day and season so that they can be compared. The most important thing, however, is that the proposed changes' effect on the viewpoint cannot be determined and so it can't be used to assess visual impact from this viewpoint. That's because everything changes in a simulated view, even the buildings in the background that are unaffected by the action.

Purely simulated views are extremely difficult to meaningfully match to existing conditions photographs to assess an action's impact on the visual resources. What does the action do to this view? The viewer cannot know because they cannot know if the change is due to the action or the change is because it is simply a simulated view. None of these images should be used by the public to assess the impacts on visual resources.

The FEIS should include photo simulations that are verifiable, where an existing conditions photograph is altered so that it reflects only the changes that are proposed by the action. Verifiable photo simulations will demonstrate if views to the Hudson River will be obstructed or not. The text says that "Views of the Hudson River, Hudson River vista, and the Statue of Liberty National Monument with Ellis Island would be largely unaffected by the Proposed Project." That should be demonstrated with data through photosimulation. Photosimulations should be done representing reasonable worst case conditions (e.g. leaf-off).

Attached to this document are several annotated images from this section that explain the issues with the images in this section. All of the simulated views should be replaced. Additionally, the FEIS should include a viewpoint of the marina showing both existing and proposed conditions.

Environmental review documentation is for the assessment and disclosure of environmental impacts, not illustration

All the images in this section include the disclaimer "For Illustrative Purposes Only." None of them should have that disclaimer. This is a document that is being used by the public to assess the impact of the project. If the Lead Agency cannot say that these images are accurate, reflecting the project as proposed, then the images shouldn't be included in the FEIS. Inaccurate renderings that are only illustrative in nature might mislead the public. The FEIS should replace all the images disclosing visual impacts and replace them with verifiable

digital photomontages that demonstrate existing and proposed conditions so that this inappropriate disclaimer can be removed.

Public Art

The DEIS notes the many existing public art works throughout the Project Area. The impact of the Project on public art is only described in vague terms. For example, regarding the public art in Reach 6, the DEIS states, “The Proposed Project may affect some of the public art located along the Esplanade pending ongoing discussions with BPCA” The DEIS then notes that the Upper Room will be decommissioned. Notwithstanding the loss of this large piece of well-loved and well-used public art, the DEIS concludes that the Project would not result in a significant adverse impact on urban design and visual resources in Reach 6. CB1 disagrees with this conclusion. Mitigation measures for the loss of the Upper Room and for adverse impacts on any other public art should be addressed in the FEIS.

The FEIS must confirm that the BPCA has met all requirements as set forth in the Visual Artists Rights Act of 1990 (VARA) and that all artists and if deceased, their estates have been contacted and have agreed to the proposed modifications to the public art.

3.5 Natural resources

Wetlands

The DEIS discloses that in-water ecological enhancements will be implemented on bulkheads and piles in Reaches 2, 6, 7 and are still under consideration. The FEIS should finalize these enhancements. If they are not finalized by the FEIS, the Lead Agency should inform the Community Board the nature of these enhancements within 14 days of when they are determined.

The proposed mitigation for the inability to provide onsite wetland mitigation is the purchase of tidal wetland mitigation bank credits from the Saw Mill Creek Wetland Mitigation Bank (Staten Island, New York). The public should be provided with details about this program and other potential mitigation options.

The FEIS should include information on how to maintain naturally planted areas should they be inundated with salt water. For example, after salt inundation, what is the best way to protect the trees? Should they be flushed with fresh water? Something else?

Tree removal

The FEIS should provide a tree survey identifying every tree to be removed, the species and condition of the tree, and the diameter of the tree trunk at 4.5 feet above the ground (e.g. DBH). The survey should display the data via a table and on a plan that individually identifies each tree surveyed. This survey should not only be part of the FEIS, it should be used by the applicant in its outer facing communication with the public to identify the trees that will be removed and when they will be removed. An example of a similar public-facing map to fully demonstrate the impact of tree removal and replacement can be found here:

<https://tree-map.nycgovparks.org/>

The table with the results of the tree survey should link back to the map of the tree survey. The tree survey table should detail each tree and its removal's impact on shade, visual resources and open space. This table should include each tree, size, species, the impact of removal, eligibility for FEMA variance, as well as identifiers that tie each tree back to the tree survey map.

Identify areas eligible for FEMA variances for trees within 15 feet of the barrier. Provide application for FEMA variance for Community Board comment (see Variance Alternative).

3.6 Hazardous materials

EIS documentation

The DEIS discloses that sampling shows higher than standard levels of mercury, arsenic, chloroform, dissolved metals and possible direct contact, inhalation, ingestion by construction workers and the community. It also discloses manners in which contaminated soil will be handled. Landscaped areas will be covered with a "soil cap" of imported clean soil. A demarcation barrier will also be installed at the bottom and slopes of the excavation, which would identify the boundary between remaining subsurface materials and imported clean fill.

Considering the presence of existing contamination, and the impacts of 9/11 on the area, there is concern regarding the adequacy of the Remedial Action Plan and the Construction Health and Safety Plan (RAP/CHASP) and whether the plans will be sufficient to protect the community. In addition to air quality monitoring during construction, stormwater and leachate should be sampled every 15 days and evaluated for evidence that water from the site has been in contact with the hazardous materials the plan currently proposes to cap and keep on site. Stormwater/leachate monitoring activities should be made public with

results posted online. The Community Engagement Manager should be reporting to the CB directly in case of an event, with updates as close to real-time as possible. The project should have a 24-hour manned hotline to report non-compliance with protection plans in addition to 311.

Draft RAP/CHASP may be updated after the Sediment Sampling and Analysis Plan (SSAP) results. The Community Board should be informed within 15 days if there will be SSAP revisions and when the final RAP/CHASP are available.

Likewise, the Community Board should be notified within 15 days of amendments to the SWPPP (Stormwater Pollution Prevention Plan), as well as any other plans amended or completed after the FEIS is accepted.

The DEIS discloses that hazmat soils can be stored on-site for up to 90 days. This is far too long. The FEIS should show that these materials will be stored on site for no more than 15 days. If the lead agency is unwilling or unable to make that commitment, it should explain why in the FEIS. The FEIS needs to detail where and how these materials are being stored and the safety protocols it will use to ensure that they are not disturbed by natural events, accidents or malicious acts.

The FEIS should disclose how these hazardous materials will be moved off-site. The community should be notified through the community engagement website when these materials will be moved off site with at least three days notice. The website should have a timeline for excavation and remediation of hazardous materials from their first on-site storage until they are all removed from the site.

If there is a spill that requires notification to the DEC, the Community Board should be copied on that notification at the time it is made.

All air quality monitoring should be done by a third party and results should be posted online in real-time so the community has access to the data. This should be a part of the RAP.

The manned 24-hour hotline should be able to accept calls and coordinate responses regarding any events that regard hazardous materials.

3.7 Water and Sewer Infrastructure

Please provide additional information regarding model evaluations conducted in collaboration with DEP confirming there are no significant adverse flooding

impacts to the adjacent unprotected areas. The FEIS must include details of what areas and what range of conditions that were studied and the results. The FEIS must make clear through modeling evaluations that the Project will have no deleterious effects on the areas along the west side, most acutely affected by Superstorm Sandy, north of the proposed tie-in at N. Moore Street and south of Canal Street in Tribeca.

If there was any modeling performed to confirm coastal storm surge waters are prevented from entering the Protected Area through the combined sewer system (CSO), please summarize methodology, as well as provide modeling and the resulting conclusions. Describe any impact on the City's water and sewer infrastructure that would result in coastal surge waters entering the CSO.

The proposed plan to pump untreated rainwater from the dry side to this CSO will result in increased water pollution and water volume in the Estuarine Sanctuary.

The FEIS must confirm and describe any impacts that the project's infrastructure will have on the Hudson River Park Estuarine Sanctuary. Please clarify all mitigation measures being considered and implemented based on the impacts. Please clarify if BPCA considered connecting to any other local CSO, that terminates in the western bulkhead of BPC into the main flow of the Hudson River (Figure 3.7-3 in DEIS) instead of into the Estuarine Sanctuary. Furthermore, what consideration has been studied for capture, storage and transport to a treatment facility later.

Please clarify whether any of the infrastructure categorized as interior drainage improvements, including the West Thames lift station, will be above grade.

3.8 Transportation

The analysis here uses the Highway Capacity Manual from 2010. Since the latest Highway Capacity Manual was published in 2022, please explain why 2010 is being used for the analysis and whether there is a difference between 2010 and 2022 in the methodologies for walkways.

The proposed action will narrow pathways and affect pedestrian capacities in some locations. Please discuss how pedestrian capacities are impacted by the narrowing of pathways and how pedestrian travel times might be impacted,

especially in the areas around the schools in the study area at the time students are arriving in the morning and afternoon.

The DEIS explains that the levels of service on the esplanade walkways will be at an acceptable level of service, but it doesn't disclose the change in the level of service. Does the action degrade the level of service? If so, by how much? The FEIS should provide detailed drawings on the narrowing of the bike paths in the study area during both construction and under With Action conditions. Please discuss the impact of these changes on the usability and service of the bike paths, even if the change is not determined to be a significant change.

3.9 Greenhouse Gas Emissions and Climate Change

This section references NYC resiliency policies but does not evaluate the Battery Park City Authority (BPCA) Climate Action Plan, Sustainability Plan or Green Guidelines. Please provide analysis of project GHG emissions and if they are consistent with BPCA resiliency plans.

Provide more detail about options under consideration for "Potential measures for reductions of emissions from construction of the Proposed Project ... [which] may include the use of biodiesel, expanded use of recycled steel and aluminum, as well as expanded construction waste reduction" and other ways to mitigate heat impact by the use of materials.

Explain the choice of poured cement over alternative materials. The FEIS should include a discussion of other materials that will not add to additional heat in the area and may produce fewer GHG during their production.

Please clarify whether construction GHG includes GHG produced by any required demolition. If it doesn't, please include it in the FEIS.

Please provide an audited version of the carbon impact model for the entire construction period in the FEIS.

3.11 Construction

The DEIS identifies the position of a Community Engagement Manager (CEM), but it needs more oversight than how it is defined in the DEIS. In addition to a CEM, the Lead Agency should set up a Construction Task Force, to whom the CEM reports. The Construction Task Force will include representatives of all stakeholders impacted by construction and should include a representative of

the Community Board, as well as the local elected representatives for the Project Area.

The CEM should notify the community and the Community Board about all applications for nighttime work on Reach 1. Once the application has been filed, the CB should receive a copy of the application and a notification once the application has been approved. Notice should be posted by physical signs in the immediate area and to any adjacent buildings at least 2 weeks before nighttime work begins.

The CB should be notified of any Maintenance and Protection of Traffic Plans required for temporary road closure, sidewalk closure, lane closures, rerouting of pedestrian and bicycle circulation and confirmation/changes to Table 3.11.1-3. The CEM or responsible agency must post physical signs to notify the public of closures at least 2 weeks in advance and during closures, and at every public meeting they attend.

Please identify any buildings on the clearly unacceptable noise level list that do not have appropriate ventilation for closed-window operation or likely don't have modern window insulation to attenuate noise level. The FEIS should discuss in detail how noise impacts on these directly impacted buildings will be mitigated.

Please provide an assessment for how construction traffic will impact routes to school for schools in Project Area. The FEIS should include a discussion of the use of traffic enforcement agents and pedestrian managers as a way of mitigating construction impacts on pedestrians. This is especially important for Chambers Street near Stuyvesant High School.

Please provide further detail on any scheduled breaks from the routine daily and scheduled nighttime construction. Are there any scheduled breaks envisioned in the schedule, e.g. major holidays, scheduled testing days at schools, etc. The FEIS should include a range of possible outcomes regarding scheduled delays and cost/time overruns.

Please provide detail on how BPCA and City agencies will work with the task force at 250 Vesey to move cars off the street. Indicate which agencies will be involved in enforcement during the construction process for private and placard vehicles.

The DEIS concludes that construction will not result in a significant adverse impact on natural resources, including the many species of fauna that make Battery Park City their home, in part because construction impacts on natural resources are deemed to be temporary. Given that the construction period is projected to span 5 years, the FEIS should not dismiss these impacts, but should describe mitigation measures to lessen them.

The DEIS does not consider the likelihood that the Project's extensive ground disturbances will cause major movements of the Project area's large rodent population. The FEIS should address the Project construction's risk that rodent populations will be disturbed and that rodents will seek new shelter locations, including within the nearby residential buildings. The FEIS should describe rodent-related mitigation measures.

Construction activities will have socioeconomic impacts and the DEIS is missing a discussion of the socioeconomic impacts of the proposed construction activities. This includes the direct displacement of the marina and the impacts of construction activities on businesses in the area. The FEIS should include the disclosure of these socioeconomic impacts and include a plan for mitigation of their impacts.

4.0 Mitigation

Construction Open Space

Please provide more details on the proposed locations and description of mitigation measures during construction listed, including: play areas, parklets and street seats, pop-up parks, seating, open streets. Since these are not yet decided, the CB should provide suggested locations or the nature of use for consideration.

Construction Noise

DEIS states there are still investigations ongoing into other possibilities to mitigate noise and the loss of open space. Please provide in the FEIS any additional mitigation measures identified since the DEIS was published.

Because of the significant impacts due to construction noise, please consider making available quiet work locations to impacted residents who would otherwise have to work from home in noisy conditions as a mitigation measure. Alternatively, the applicant should install noise dampening windows or noise dampening devices at the homes and facilities of the most impacted community members, including schools, places of business and senior residences.

Mitigation measures addressing construction equipment noise, including but not limited to pile driving machinery, generators, compressors, and pneumatic tools, should be specifically addressed in the FEIS.

The FEIS should detail how the Applicant will communicate with the public during the construction period. This should include:

- 1) Prominent signs communicating the action, including:
 - a) Signs or markings on trees that will be removed
 - b) Signs announcing immediate construction activities. If significant noise is anticipated, it should be advertised to the public.
- 2) A public facing website/social media should also be maintained including all this information.

Construction Lighting

Although night work may not be typically employed, the community understands from its experience with the South BPC Resiliency Project that temporary construction site lighting is likely to be used during evening, nighttime and early morning hours. The FEIS should address how such lighting's impact on neighboring residents will be mitigated.

Air quality monitoring during construction

The FEIS should detail how air quality will be monitored during construction.

Air quality monitoring must:

1. Be contracted to an independent third party that is onboard from day 1
2. Output information by air quality sensors in real-time to a publicly accessible website, which is prominently featured on the applicant's website
3. Indicate air quality events, which occur when air quality exceeds maximum permitted thresholds. The Community Board asked to be notified whenever an air quality threshold is exceeded within 3 days.
4. Run the entire duration of the project
5. Provide masks and HEPA filters for places that are directly impacted.

Socioeconomic Impacts of construction

The DEIS does not include any discussion or disclosure of socioeconomic impacts. The FEIS should disclose these impacts, including the direct displacement of businesses that will be affected by construction activities, such as the marina, as well as businesses that may not be directly displaced, but

which will have their operations impacted by construction activities, including noise and changes in traffic flow. The FEIS should include a discussion of how businesses will get deliveries during construction and the plan for staging of activities to minimize impacts on these establishments.

5.0 Alternatives

The pump station alternative

The pump station above-grade structure design is still under consideration and the EIS shows three options. Design Options 1 and 2 separate the electrical panel and power generation into different structures, while Design Option 3 is a two-story structure, which incorporates all the mechanicals into one building. The process for the selection of a final design requires review by the SCA, DOT and the high school. The Community Board requests to be included and contribute to these discussions.

The option next to Stuyvesant High School will have potential impacts on the usability of the area around the structure including but not limited to public open space, Citi bike stations, public seating and pedestrian connections north and south. The Lead Agency is asked to include the Community Board as an interested agency in the considerations on the final design and be informed on the design selected, why it was selected, and if the SCA and the High School agreed with the design selected.

Maximum FEMA variances

The FEIS should include a new alternative representing maximum FEMA variances for existing trees that minimizes tree loss. This alternative would identify all the trees that could be saved, should a variance be sought and granted. This alternative should include a plan that identifies the areas that are eligible for FEMA variances and the trees that might be saved by variances. The FEIS should demonstrate the impact of those variances on visual resources and open space and include photo simulations that demonstrate the impact of the maximum variance alternative compared to the proposed action.

OTHER TOPICS

Public engagement process

There should be a construction advisory committee including a liaison from the project team who faces the public. The committee should be set up and in operation throughout the construction process to monitor agreements and provide information to the community, with relevant City, State and Federal

agencies at the table. There should be regular updates and meetings with the CB and the public. A hotline number to call for issues that are not meeting the plan should be provided to the community. The Community Engagement Officer should regularly report to the Community Board on the progress and issues that arise during construction.

Many members of the public complained that the DEIS was not readily available for review on the BPCA website home page. It is critical that the BPCA ensure that all future updates on all aspects of this project including the posting of the FEIS be readily accessible on the BPCA home page.

Operations and Maintenance

Please provide details about the Operations Manual: which agencies it applies to depending on the locations/Reach and which access agreements to certain properties are still required to implement a functional maintenance plan. Additional information in the FEIS on operations should include how the barriers get deployed, what organization or agencies have responsibility, and what are the expectations in terms of operations and maintenance.

Part of the action involves changes to property controlled by Hudson River Park Trust (HRPT). Please explain whose responsibility it will be to maintain and pay for the upkeep of the improvements on HRPT land.

Other impacts of the project

FEIS must include data that ensure what if any potential effect the proposed project has on neighboring areas, particularly those most affected and most vulnerable during Sandy in Tribeca North and South of Canal Street at the West side. Assurance that there would be no deleterious effects on areas north of N. Moore, is something the community has asked for repeatedly.

Caroline Ibarra

From: Karen Borsari <kborsari@asphaltgreen.org>
Sent: Wednesday, September 18, 2024 5:45 PM
To: nwbpcrinfo@bpca.ny.gov
Subject: Statement for: 9/18 North/West Battery Park City Resiliency Project DEIS Public Hearing

Hi,

Below, please find statement for tonight's public hearing from Asphalt Green. Thank you for opening the forum to community feedback.

Best,
Karen

Asphalt Green applauds the Battery Park City Authority for leading the vital and proactive work, preparing our downtown community for the impending impact of climate change. As an organization that was greatly impacted by superstorm Sandy, delaying our opening by a year, we recognize that long-term planning is essential to protect our public and community spaces in the years ahead, and we are grateful for the opportunity to be a part of conversations relating to this effort.

While the BPC Ball Fields & Community Center Resiliency Project has helped fortify our Battery Park City campus that each year helps thousands of New Yorkers live active and healthier lives, we know that further collaboration and work, including the North/West Battery Park City Resiliency Project is needed to protect Asphalt Green and our neighbors going forward. In our 11th year in Battery Park City, we take comfort in knowing the strength and resilience of our community members and look forward to serving them throughout the next decade and beyond, despite whatever disruptions are required to ensure the longevity and prosperity of Battery Park City.

Karen Borsari
(she/her)
Senior Director, External Engagement
Asphalt Green
Direct 646.981.2293
Main 212.369.8890
555 East 90th Street | New York, NY 10128
asphaltgreen.org

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

Caroline Ibarra

From: Ashlee Conner <ashjayne@gmail.com>
Sent: Friday, October 4, 2024 1:22 PM
To: nwbpcrinfo@bpca.ny.gov
Subject: Timing

I am a resident of North BPC. Will this project start when South BPC is finished? We are moving in a few years and would hate to not have any green space in our last years living here.

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

From: John Dellaportas <JDellaportas@EMMETMARVIN.COM>**Sent:** Thursday, August 29, 2024 4:55 PM
To: Nicholas Sbordone nicholas.sbordone@bpca.ny.gov

Can you confirm that the RM Fischer sculpture, which is a beloved local gathering spot, and was celebrated by the BPCA itself at a recent art event, will be preserved and restored to its prior condition at the end of this project? John

John Dellaportas

Co-Chair, Litigation Department Emmet, Marvin & Martin, LLP 120 Broadway 32nd Floor New York, NY 10271
Tel: 212-238-3092 Fax: 212-238-3100 Email: jdellaportas@emmetmarvin.com

Confidentiality Disclosure: The information in this email and in attachments is confidential and intended solely for the attention and use of the named addressee(s). This information may be subject to legal professional or other privilege or may otherwise be protected by work product immunity or other legal rules. It must not be disclosed to any person without our authority. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are not authorized to and must not disclose, copy, distribute, or retain this message or any part of it.

Caroline Ibarra

From: John Dellaportas <JDellaportas@EMMETMARVIN.COM>
Sent: Monday, October 7, 2024 11:59 PM
To: nwbpcrinfo@bpca.ny.gov
Cc: Daniel Akkerman
Subject: FW: BPC Climate Resiliency Project; Violation of federal guidelines and SEQRA; Solution to problem

Importance: High

Dear Sir/Madam:

I am the Vice President of the Battery Alliance (www.saveBPC.org), a non-profit organization representing over 10,000 unit owner residents of Battery Park City. I write to share with the BPCA the overwhelming consensus of our membership that this project is an environmental calamity and must be paused and reconsidered. Climate change is real, but the removal of thousands upon thousands of mature trees – most of which will not be replaced – will only worsen climate change and lower our resilience. The drawings provided with the EIS do not reflect this, and thus are fraudulent. Accordingly, the Battery Alliance requests that the BCPA pause this project and conduct a determinative analysis and risk analysis. Then, if appropriate, should apply for a variance to preserve trees. These measures are necessary to allow for a hard look at feasible options for alignments and designs, permit the public to provide meaningful input at public meeting and comment proceedings, and enhance community buy-in on the chosen plan.

John Dellaportas
Vice President, Battery Alliance
917-685-2084

John Dellaportas
Emmet, Marvin & Martin, LLP
120 Broadway 32nd Floor
New York, NY 10271
Tel: 212-238-3092
Fax: 212-238-3100
Email: jdellaportas@emmetmarvin.com

EMMET
EMMET, MARVIN & MARTIN, LLP

Confidentiality Disclosure: The information in this email and in attachments is confidential and intended solely for the attention and use of the named addressee(s). This information may be subject to legal professional or other privilege or may otherwise be protected by work product immunity or other legal rules. It must not be disclosed to any person without our authority. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are not authorized to and must not disclose, copy, distribute, or retain this message or any part of it.

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

From: Steven Dougherty <stevedoughertynyc@gmail.com>
Sent: Monday, October 7, 2024 5:03 PM
To: nwbpcrinfo@bpca.ny.gov
Cc: Steven Dougherty
Subject: North-South Resilience Project public comment

Much of the anger that has greeted resiliency plans for Battery Park City springs from the manner in which they were initially presented to the residents of the New York City neighborhood that was most heavily damaged in the 2001 World Trade Center terror attacks—and that was, ironically, one of the least damaged by Superstorm Sandy flooding in 2012.

Now, 23 years after 9-11, in a neighborhood where it is impossible *not* to “Never Forget,” many residents fear another trauma is at hand. The North/West Resiliency Project, we have been told, “will have no significant impacts on categories such as air quality, community facilities, and natural resources.” And yet little to zero concern for the impact that the project will have on residents was in evidence two years ago when plans for the demolition of Wagner Park, a neighborhood jewel that became a gathering place that helped the community heal in the aftermath of 9-11, were unveiled. The project was presented as a *fait accompli* many of us felt and residents’ concerns were dismissed as the selfish “parochial”

interests of a few who should not be allowed, one official said, to delay the project from going forward. Pleas to consider alternatives to the plans in store for Wagner Park, one of the most lovely spots in all Manhattan, full of flower gardens and shade trees, with an architectural award-winning brick pavilion that gracefully framed views of the Statue of Liberty, Ellis Island and New York Harbor beyond, were dismissed. The pavilion would be demolished. The trees cut down. The gardens uprooted.

Saving Wagner Park is a battle lost. As the project moves forward let's hope that resident concerns—that every effort is made to preserve rather than destroy the very things—including the shade trees and the public art installations that grace the esplanade—that give its residents reason to stay.

Thank you.

Steve Dougherty

355 South End Av. Apt. 8M NY NY 10280

--

stevedoughertynyc@gmail.com

doughertysteven@gmail.com

Stelvis.com

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

Caroline Ibarra

From: Britni Erez <britnimust@gmail.com>
Sent: Thursday, August 29, 2024 6:32 PM
To: Nicholas Sbordone
Cc: John Dellaportas; Kelly McGowan; Gregory Sheindlin (Sheindlin Law Firm); Brian Kavanagh; fallc@nyassembly.gov; Christopher Marte; District1@council.nyc.gov; Martha Gallo; Jeff Galloway H.; Northwest Resiliency; MAN01 (CB); Justine Cuccia; pamit surana; Daniel Akkerman; alison@ebroadsheet.com; carlg@tribecatrib.com; dan.goldman@mail.house.gov; Raju Mann; Gwen Dawson
Subject: Re: South BPC Resiliency Tide Gate Chamber Installation

Hello Nick,

Related to Kelly's note: In the EIS document you shared below, could you share where it discusses the tree removals? Page 18 and 19 states there will be no adverse impacts on natural resources. All the pictures refer to Wagner Park and immediately adjacent areas.

Of course, everyone wants improved interior drainage but protecting against climate change must also be about protecting existing mature trees which are vital to preventing and protecting against climate impacts.

Related to Greg's note: In the documents you shared related to the Northwest project, it was difficult to count all the trees you are proposing to remove. I counted just south of 200 trees. Is that accurate? I also noticed that there is no new wall in front of "penny park" and the hurricane maria statue, but you are able to leverage the existing wall. Is that correct?

Lastly, are you able to have pictures and fly throughs that show what the pictures will look like 1-5 years after the project. Many look like more mature trees.

Lastly, where can I find the analysis done by tree? I saw the tree mapping tool, which I am glad to see finally for Battery Park, but it would be helpful to see the details behind the assessment on which trees need to be moved or removed.

Thank you,
Britni

State Environmental Quality Review Act
Findings Statement
Hugh L. Carey Battery Park City Authority
South Battery Park City Resiliency Project
Borough of Manhattan
New York, New York

Pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review [SEQR] Act) and Title 6 New York Codes, Rules and Regulations ("NYCRR") Part 617, Hugh L. Carey Battery Park City Authority (BPCA), makes the following findings:

Name of Action: South Battery Park City Resiliency (SBPCR) Project

Project Location: The Proposed Action involves the construction of an integrated flood barrier alignment system in the southern portion of Battery Park City and portions of Lower Manhattan. The flood alignment runs from 1st Place and the Museum of Jewish Heritage, through Wagner Park, across Pier A Plaza, and then along the north side of the Battery Bikeway in The Battery to higher ground near the intersection of Battery Place and State Street. In addition, the following interior drainage improvements are proposed: a near surface isolation (NSI) system along West Street between Battery Place and Albany Street; tidegates at 1st Place near the Museum of Jewish Heritage, Rector Place near the Hudson River, as well as in Pier A Plaza, and two isolation valves in The Battery portion of the Project Area.

Summary of Action: In response to the devastating impact of Superstorm Sandy in Lower Manhattan and in anticipation of future severe storm activity related to climate change, the SBPCR Project has been developed as an integrated coastal flood risk management project in Lower Manhattan. The flood alignment is composed of multiple different integrated features such as flip-up deployable gates (flip-up deployables), glass-topped floodwalls, buried floodwalls underneath terraced slopes, exposed floodwalls, and bermed floodwalls. The term "flood alignment" is used to differentiate the combination of flood control measures represented by the SBPCR Project from a traditional freestanding flood wall for risk reduction. In addition, interior drainage improvements will be required for the Project. The purpose of the flood alignment is to meet the requirements for FEMA accreditation and to allow for future protection against a 100-year storm event, with adaptability for protection against a 200's 100-year storm upon the completion of the North/West Battery Park City Resiliency Project and a tie-in between the projects.

Lead Agency Contact:

Gwen Dawson, Vice President of Real Property
200 Liberty Street, 24th FL.
New York, NY 10281
(212) 417-2000

SEQR Classification: Type I

Statement of Findings 1 October 2022

SBPCR-FEIS-Findings-Statement
PDF Document · 1.8 MB

Britni Erez
Sent from my iPhone

On Aug 29, 2024, at 5:19 PM, Nicholas Sbordone <nicholas.sbordone@bpca.ny.gov> wrote:

Confirmed, thanks John.

Adding Raju's and Gwen's correct emails here as well.

Nick Sbordone
BPCA
(646) 531-2276

From: John Dellaportas <JDellaportas@EMMETMARVIN.COM>
Sent: Thursday, August 29, 2024 4:55 PM
To: Nicholas Sbordone <nicholas.sbordone@bpca.ny.gov>; Kelly McGowan <jkellymcgowan@gmail.com>; Gregory Sheindlin (Sheindlin Law Firm) <gs@sheindlinlaw.com>
Cc: Brian Kavanagh <kavanagh@nysenate.gov>; fallc@nyassembly.gov; Christopher Marte <chris@votemarte.com>; District1@council.nyc.gov; Martha Gallo <mjgmartha@gmail.com>; Jeff Galloway H. <jeff@rundog.com>; Northwest Resillency <nwbpcrinfo@bpca.ny.gov>; gwen.dawson@bpca.gov.ny; raju.mann@bpca.gov.ny; MAN01 (CB) <Man01@cb.nyc.gov>; Justine Cuccia <justinec.cb1@gmail.com>; Britni Erez <Britnimust@gmail.com>; pamit surana <dalalsurana@gmail.com>; Daniel Akkerman <akkermand@yahoo.com>; alison@ebroadsheet.com;

carlg@tribecatrib.com; dan.goldman@mail.house.gov

Subject: RE: South BPC Resiliency Tide Gate Chamber Installation

Thanks Nick. Can you confirm that the RM Fischer sculpture, which is a beloved local gathering spot, and was celebrated by the BPCA itself at a recent art event, will be preserved and restored to its prior condition at the end of this project? John

John Dellaportas

Co-Chair, Litigation Department

Emmet, Marvin & Martin, LLP

120 Broadway 32nd Floor

New York, NY 10271

Tel: 212-238-3092

Fax: 212-238-3100

Email: jdellaportas@emmetmarvin.com



Confidentiality Disclosure: The information in this email and in attachments is confidential and intended solely for the attention and use of the named addressee(s). This information may be subject to legal professional or other privilege or may otherwise be protected by work product immunity or other legal rules. It must not be disclosed to any person without our authority. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are not authorized to and must not disclose, copy, distribute, or retain this message or any part of it.

From: Nicholas Sbordone <nicholas.sbordone@bpca.ny.gov>

Sent: Thursday, August 29, 2024 3:26 PM

To: Kelly McGowan <jkellymcgowan@gmail.com>; Gregory Sheindlin (Sheindlin Law Firm) <gs@sheindlinlaw.com>

Cc: Brian Kavanagh <kavanagh@nysenate.gov>; fallc@nyassembly.gov; Christopher Marte <chris@votemarte.com>; District1@council.nyc.gov; Martha Gallo <mjgmartha@gmail.com>; Jeff Galloway H. <jeff@rundog.com>; Northwest Resiliency <nwbpccrinfo@bpca.ny.gov>; gwen.dawson@bpca.gov.ny; raju.mann@bpca.gov.ny; MAN01 (CB) <Man01@cb.nyc.gov>; Justine Cuccia <justinec.cb1@gmail.com>; Britni Erez <Britnimust@gmail.com>; pamit surana <dalalsurana@gmail.com>; Daniel Akkerman <akkerman@yahoo.com>; John Dellaportas <JDellaportas@EMMETMARVIN.COM>; alison@ebroadsheet.com; carlg@tribecatrib.com; dan.goldman@mail.house.gov

Subject: South BPC Resiliency Tide Gate Chamber Installation

Attention: This email was sent from someone outside of Emmet, Marvin & Martin, LLP. Always use caution when opening attachments or clicking links from unknown senders or when receiving unexpected emails.

Hi Kelly, and thanks for your note. I renamed the subject line of this email exchange, since yours was a holdover from Greg's separate note that pertained to a separate project. I'd responded to Greg's note last week.

The construction underway on Rector Place is a regulatory requirement for the South Battery Park City Resiliency Project, which is designed not only to address storm surge but also the need to provide for adequate interior drainage on the upland side of the flood barrier system.

Described in the [SBPCR FEIS issued in October 2022](#), the work includes installation of one (of two) tide gate chambers at existing separate municipal storm sewer (MS4) overflows (the other tide gate is at 1st Place, within the SBPCR worksite, and doesn't include any additional public closures). This interior drainage solution was arrived at collaboratively between BPCA and the NYC Department of Environmental Protection, and was much-lauded by community members since it obviated the need for the construction of two approximately 750 sf at-grade control houses in or adjacent to the neighborhood. It is scheduled to be completed in January 2025.

Given the temporary disruption associated with this work, we wanted to alert the community in advance of its impending commencement. By way of outreach, we contacted each of the surrounding buildings on Rector Place, the Community Board, and our local elected officials' offices. We also [posted to our website](#) (which also includes the above link to FEIS findings), on social media, and physical signage in the area. It was also covered in [today's Broadsheet](#).

The street end at Rector Place will be fully re-planted after completion of the North/West Battery Park City Resiliency Project, so as to avoid needing to remove whatever we plant now in two years' time for that latter project. Recognizing the need to create a suitable interim condition that is compatible with its surroundings, our team will work to beautify the space during this period with temporary appropriate native plantings, and we'd welcome your input on any additional ideas you have to enhance the appearance and enjoyment of the space. Please email sbpcr@bpca.ny.gov with any suggestions.

Sincerely,

Nick Sbordone
BPCA
(646) 531-2276

From: Kelly McGowan <jkellymcgowan@gmail.com>
Sent: Thursday, August 29, 2024 11:09 AM
To: Gregory Sheindlin (Sheindlin Law Firm) <gs@sheindlinlaw.com>
Cc: Brian Kavanagh <kavanagh@nysenate.gov>; fallc@nyassembly.gov; Christopher Marte <chris@votemarte.com>; District1@council.nyc.gov; Martha Gallo <mjgmartha@gmail.com>; Jeff Galloway H. <jeff@rundog.com>; Northwest Resiliency <nwbpcrinfo@bpca.ny.gov>; gwen.dawson@bpca.gov.ny; raju.mann@bpca.gov.ny; Nicholas Sbordone <nicholas.sbordone@bpca.ny.gov>; MAN01 (CB) <Man01@cb.nyc.gov>; Justine Cuccia <justinec.cb1@gmail.com>; Britni Erez <Britnimust@gmail.com>; pamit surana <dalalsurana@gmail.com>; Daniel Akkerman <akkermant@yahoo.com>; John Dellaportas <jdellaportas@emmetmarvin.com>; alison@ebroadsheet.com; carlg@tribecatrib.com; dan.goldman@mail.house.gov

Subject: Re: BPC Climate Resiliency Project; Violation of federal guidelines and SEQRA; Solution to problem

<image001.jpg>

<image002.jpg>

To all,

Residents, owners and visitors were greeted yesterday morning with Rector Place being transformed into a construction site. The BPCA considered a few plastic coated notices put up a few days prior to be adequate “community engagement”.

If you read the notice, which left most confused, you would have the impression that the biggest impact would be some loss of parking.

Instead they completely closed access to the promenade from Rector, destroyed 4 architectural planters with a dozen mature trees.

All of this is a result of an Authority that acts with disregard of the community needs, the scientific facts, and basic engineering and design. Instead that act with impunity from any accountability of their waste.

This was executed by the BPCA even deigning to share their final design of the redeveloped plaza. What was the rush? It isn't science? It appears to be more political. The operating principle of the BPCA appears to be cut it down, and rip it up, then there is nothing for people to fight for.

The most common question I hear is: “Why can't anyone stop this?”

We are awaiting an answer.

Kelly McGowan

On Tue, Jul 23, 2024 at 6:47 PM Gregory Sheindlin (Sheindlin Law Firm)

<gs@sheindlinlaw.com> wrote:

Good Morning Congressman Goldman, Senator Kavanagh, Assemblymember Fall, Councilmember Marte and BPC Authority,

I am a resident of Battery Park City and work there too. BPC Authority's Northwest Climate Resiliency Project is a very important part of lower Manhattan's flood protection and has reached its 60% design milestone. I write this letter to help correct an avoidable problem. In brief, the proposed project design regarding Rockefeller Park (aka Reach 3), as shown to the public through renderings and a fly-through video, depict a design that if relatively accurate violates federal guidelines or, if it is not accurate, failed to provide the public with sufficient information to allow for meaningful public input, a right members of the public have pursuant to the State Environmental Quality Review Act ("SEQRA").

THE FLOODWALL: To understand the problem, it is important to first describe the location of a key structure within the resiliency plan: *The flood wall in Rockefeller Park will be aligned with the current stone wall that runs along its eastern perimeter (adjacent to River Terrace).*

THE FEDERAL GUIDELINES: Federal guidelines published by the US Army Corps of Engineers ("USACE") do not permit any trees, bushes and other vegetation (except grass) within 15 feet of each side of the floodwall. In other words, there must be a 30-foot vegetation-free zone (excluding grass). See, USACE Guidelines for Landscape Planting and Vegetation Management At Floodwalls And Appurtenant Structures, [ETL 1110-2-583](#), Section 2-2 (c)(2). A variance from the guidelines is only allowed if the project's sponsor conducts a specific type of analysis and applies for a variance. See, [ETL 1110-2-583](#), Section 2-2 (c)(3)(d). BPCA and its partners have not conducted any such analysis or applied for a variance.

FLOOD INSURANCE RATE MAP ("FIRM"): The vegetation-free zone guideline must be complied with or the project will not satisfy the criteria set forth in the Flood Insurance Rate Map (FIRM). Noncompliance with FIRM criteria means that insurance companies will refuse to underwrite mortgages and property liability policies for BPC's buildings and residents. This will severely damage the BPC residential and commercial communities.

PHOTOS ILLUSTRATING PROBLEM: The photos below will help illustrate the problem. The photo on the left confirms the following: (i) The current tree-lined sidewalk adjacent to River Terrace is approximately 10 feet wide; (ii) a 12-foot distance exists between the stone wall and trees along River Terrace; and (iii) many of the trees that shade the playground are located on the interior (seaward) side of the stone wall and within 15-feet of it. The photo on the right is a screenshot of the proposed design as shown in BPCA's flythrough video published on June 20, 2024. See, <https://www.youtube.com/watch?v=tiOkJqvyboc> (Relevant video starts at 03:16 minutes). The proposed design has trees and vegetation within 15 feet of the flood walls.



THE PROBLEM: On June 20, 2024, BPCA held a public engagement meeting as part of its legal obligations under SEQRA to obtain public input on the project including opinions on aesthetics and effects on the community character. The proposed design raised two problems regarding this legal requirement. First, if the visual exhibits did not accurately depict the

proposed design, the community was not given a reasonable opportunity to provide meaningful input on key proposals related to aesthetics and community character. For example, the community has a right to see a design that conforms with the federal guideline. Such a design would show how the park appears with no vegetation for a 30-foot swath. Such a design would also show how the park appears after the removal of the current trees that shaded one side of the sidewalk, children's playground, basketball court, handball court and picnic area. On the other hand, if the visual exhibits accurately portrayed the proposed design, it violates federal guidelines. [ETL 1110-2-583](#), Section 2-2 (c)(2). Eventually, this violation must be acknowledged and corrected by BPCA. It will mean a revamping of the design, extension of the construction timeline, an increase in project cost and a potential need to raise additional funds through another bond issuance.

THE ANSWER: There is an answer that solves the problems. BPCA must conduct the requisite analysis and apply for a variance from USACE, as permitted by [ETL 1110-2-583](#), Section 2-2 (c)(3)(d).

I have raised this issue in past letters and public meetings with BPCA. To date, the problem has not been appreciated or corrected. I am available for anyone who wants to discuss.

Regards, Greg Sheindlin
Cell (917) 669-5115

** Bar Admissions: New York & California*

SHEINDLIN LAW FIRM

[200 Vesey Street, 24th Floor, New York, NY 10281](#)

Direct Line (646) 952-8579; Mobile (917) 669-5115

Email: gs@sheindlinlaw.com

Web: www.sheindlinlaw.com

Firm Video: <https://www.youtube.com/watch?v=cVgzikUd0OI>

CONFIDENTIALITY NOTICE: The information contained in this message, and in any accompanying documents, may be proprietary, confidential and/or privileged information. This information is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient of this email you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on this information, is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete the original message.

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

From: Tom Fox Associates <tom@tomfoxassociates.com>
Sent: Friday, September 13, 2024 6:48 PM
To: nwbpcrinfo@bpca.ny.gov
Cc: Tracy Jackson; Carrie Roble
Subject: Comment to address in the DEIS discussion and the FEIS
Attachments: Screenshot 2024-06-11 at 7.23.03 PM[2].png; Screenshot 2024-06-11 at 7.10.24 PM[3].png

Dear North/West Battery Park City Resiliency Project Team,

I am the founding President & CEO of the Hudson River Park Conservancy and serve on the Executive Committee of the Hudson River Park Advisory Council. My concern is the plan to discharge untreated rainwater into the Hudson River Park estuary between the northern end of Battery Park City (BPC) and Pier 25.

In your June presentation to the Hudson River Park Advisory Council the North/West Battery Park City Resiliency Project Team stated that the surface rainwater collected behind new resiliency infrastructure being building in BPC will be routed to a pumping station under their portion of esplanade at Stuyvesant. That surface water (containing motor oil and other street detritus) will be pumped directly into the estuarine sanctuary via Outfall NCM-073 under the Hudson River Park esplanade between BPC and Pier 25. Would be helpful to know what volume of order the DEIS assumes will be released into the estuary untreated as proposed in the current North/West Battery Park City Resiliency Project plan.

In my previous comments, I've voiced my concerns about the potential impact on water quality and habitat in the sanctuary from increased CSO discharges precipitated by this plan. After the decades, long struggle to protect the Hudson River Park estuary and declare Esther in sanctuary, it's unconscionable to increase untreated rainwater discharges into the sanctuary, especially in an area that has very poor water circulation and a variety of on-water activities from sailing and nearby kayaking.

Any surface water runoff from battery Park city should be captured and routed to the appropriate wastewater treatment facility. If not, there should be

significant mitigation included in North/West Battery Park City Resiliency Project to protect and enhance the Hudson River Park Estuarine Sanctuary.

Assemblymember Deborah Glick chairs the NYS Assembly's Environmental Committee. I have copied Tracy Jackson who represents Assemblymember Glick on the Advisory Council and Carrie Roble the Vice President, Estuary and Education at the Hudson River Park Trust. I've attached two screenshots from BPC's presentation to the Advisory Committee that illustrate my concern. I have subsequently tried to get additional information online however, most of what BPC has made available to the public regarding s North/West Battery Park City Resiliency Project seems to focus on surface interventions and public amenities rather than the underground infrastructure.

Thank you for your attention to this issue,

Tom

Tom Fox
9 Beach 220th Street
Breezy Point, NY 11697
tom@tomfoxnyc.com
<https://tomfoxnyc.com>
Cell 917-572-7540

The information or files contained in or attached to this e-mail are intended only for the person(s) or entity/entities to which it is addressed and may contain confidential and/or privileged material and/or Confidential Information - Subject to a Confidentiality Agreement. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient(s) is prohibited. If you received this in error, please contact the sender and delete the material from any computer. We have made a strenuous effort to ensure that emails and any attachments generated by our staff are free from viruses. However, we cannot accept any responsibility for any viruses transmitted.

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

Caroline Ibarra

From: Tom Fox Associates <tom@tomfoxassociates.com>
Sent: Friday, September 13, 2024 8:38 PM
To: nwbpcrinfo@bpca.ny.gov
Cc: Tracy Jackson; tmeltzernyc@gmail.com; Carrie Roble (croble@hrpt.ny.gov)
Subject: Re: Comment to address in the DEIS discussion and the FEIS

To whom it may concern,

I am writing to ensure that my earlier comment regarding surface water runoff being diverted into the Hudson River Park Estuarine Sanctuary (below) has been received and that I am registered to comment at the 9/18 public meeting regarding the North/West Battery Park City Resiliency Project

Thank you very much for your confirmation.

Get [Outlook for iOS](#)

From: Tom Fox Associates <tom@tomfoxassociates.com>
Sent: Friday, September 13, 2024 6:48 PM
To: nwbpcrinfo@bpca.ny.gov <nwbpcrinfo@bpca.ny.gov>
Cc: Tracy Jackson <jacksont@nyassembly.gov>; Carrie Roble <croble@hrpt.ny.gov>
Subject: Comment to address in the DEIS discussion and the FEIS

Dear North/West Battery Park City Resiliency Project Team,

I am the founding President & CEO of the Hudson River Park Conservancy and serve on the Executive Committee of the Hudson River Park Advisory Council. My concern is the plan to discharge untreated rainwater into the Hudson River Park estuary between the northern end of Battery Park City (BPC) and Pier 25.

In your June presentation to the Hudson River Park Advisory Council the North/West Battery Park City Resiliency Project Team stated that the surface rainwater collected behind new resiliency infrastructure being building in BPC will be routed to a pumping station under their portion of esplanade at Stuyvesant. That surface water (containing motor oil and other street detritus) will be pumped directly into the estuarine sanctuary via Outfall NCM-073

under the Hudson River Park esplanade between BPC and Pier 25. Would be helpful to know what volume of order the DEIS assumes will be released into the estuary untreated as proposed in the current North/West Battery Park City Resiliency Project plan.

In my previous comments, I've voiced my concerns about the potential impact on water quality and habitat in the sanctuary from increased CSO discharges precipitated by this plan. After the decades, long struggle to protect the Hudson River Park estuary and declare Esther in sanctuary, it's unconscionable to increase untreated rainwater discharges into the sanctuary, especially in an area that has very poor water circulation and a variety of on-water activities from sailing and nearby kayaking.

Any surface water runoff from battery Park city should be captured and routed to the appropriate wastewater treatment facility. If not, there should be significant mitigation included in North/West Battery Park City Resiliency Project to protect and enhance the Hudson River Park Estuarine Sanctuary.

Assemblymember Deborah Glick chairs the NYS Assembly's Environmental Committee. I have copied Tracy Jackson who represents Assemblymember Glick on the Advisory Council and Carrie Roble the Vice President, Estuary and Education at the Hudson River Park Trust. I've attached two screenshots from BPC's presentation to the Advisory Committee that illustrate my concern. I have subsequently tried to get additional information online however, most of what BPC has made available to the public regarding s North/West Battery Park City Resiliency Project seems to focus on surface interventions and public amenities rather than the underground infrastructure.

Thank you for your attention to this issue,

Tom

Tom Fox
9 Beach 220th Street
Breezy Point, NY 11697
tom@tomfoxnyc.com
<https://tomfoxnyc.com>

Cell 917-572-7540

The information or files contained in or attached to this e-mail are intended only for the person(s) or entity/entities to which it is addressed and may contain confidential and/or privileged material and/or Confidential Information - Subject to a Confidentiality Agreement. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient(s) is prohibited. If you received this in error, please contact the sender and delete the material from any computer. We have made a strenuous effort to ensure that emails and any attachments generated by our staff are free from viruses. However, we cannot accept any responsibility for any viruses transmitted.

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.



DEBORAH J. GLICK
Assemblymember 66th District
New York County

The Assembly State of New York

CHAIR
Committee on
Environmental Conservation

COMMITTEES
Governmental Operations
Rules
Ways and Means

October 4, 2024

Battery Park City Authority
200 Liberty Street, 24th Floor
New York, NY 10281

Dear North/West Battery Park City Resiliency Team:

I am writing to convey my concerns about the North/West Battery Park City Resiliency Project's potential impact on the Hudson River Park Estuarine Sanctuary, as outlined in the Draft Environmental Impact Statement (DEIS) released on August 28, 2024. While I no longer represent Battery Park City, I did for many years, and I continue to hear from community members. I also understand that while the resiliency plan focuses on Battery Park City (BPC) it will impact part of my district, east of Route 9A/West Street and north to Harrison Street and beyond, as well as Hudson River Park (HRP), much of which falls in my district and which is regulated through State Legislation.

The DEIS's proposed new pump station includes plans for a sewer main to be installed below the Hudson River's surface under the Hudson River Park esplanade between BPC and Pier 25 and connected to an existing combined sewer outfall (CSO) in HRP's Estuarine Sanctuary – meaning any surface water collected by the BPC barrier system after a storm event would be pumped into this section of the Sanctuary. The area in question is a corner of bulkhead walls, which will make circulation difficult and any untreated surface water pumped into the area would not dissipate easily, potentially causing harm to the Sanctuary.

The Estuarine Sanctuary is a critical habitat to a vast array of wildlife including many species of fish and serves as a vital resource for migrating birds. Hudson River Park's careful stewardship of the Sanctuary over many years is a central part of their mission and contributes to the overall health of the river and of New Yorkers who rely on the river for recreation. Untreated surface water polluted with motor oil and other detritus being pumped into the Sanctuary and essentially getting stuck there would be counter to ongoing conservation efforts and could damage this delicate ecosystem.

I urge Battery Park City to modify the plan in order to prioritize the protection of the Sanctuary. It is my understanding that you are still coordinating with the New York City Department of Environmental Protection on the design of the new pump station and am hopeful that you will work together to find an alternative method of dispersing captured storm water, which will take that water further into the free flow of the river.

While I appreciate the complexity of designing appropriate resiliency measures, all climate change mitigation efforts should also strive to ensure the health of New York's waterways.

Sincerely,


Deborah J. Glick
Assemblymember

Caroline Ibarra

From: Mark Greenwald <mrkgrn1020@gmail.com>
Sent: Wednesday, September 18, 2024 7:27 PM
To: nwbpcrinfo@bpca.ny.gov

Hello.

I'm wondering about commercial businesses re: marina area , and how they will be impacted.

Mark

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

Caroline Ibarra

From: Audrey Harkins <audje75@gmail.com>
Sent: Friday, October 4, 2024 11:21 AM
To: nwbpcrinfo@bpca.ny.gov
Subject: bpc esplanade

please keep as many trees as possible on the walk.
this esplanade is one of the CITY'S ico ic places,

also please keep our wooden benches.

thank you
audrey harkins

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

This translates into Lower Manhattan representing roughly one in four of all rent-stabilized apartment losses citywide during this period.

The upside for landlords appears to be considerable. According to the Rent Guidelines Board, the median gross rent for stabilized apartments through New York City in 2023 was \$1,570. For contrast, according to RENTCafe (a nationwide apartment search website), the average rent for market-rate apartments in Manhattan is currently \$4,939. By these metrics, the landlords of the 42 Lower Manhattan buildings that have shed rent-stabilized units may be collecting in the range of \$3,369 additional rent per month per apartment. Over the course of four years, this is the equivalent of \$63,027,252 extracted from local residents. For individual Lower Manhattan families, this increase corresponds to \$40,428 per year.

There are multiple reasons why landlords can legally stop registering apartments as rent stabilized. The most common is the sunseting of tax benefits offered by government agencies when the building opened, in exchange for affordability protections but within a limited time period.

The largest blocks of apartments that reverted to market rate during the four-year period ending in 2022 were at Ten Hanover Square (which went from 489 affordable units to 93, for a loss of 396), 450 Washington Street (where all 291 units were deregulated), 399 Chambers Street (340 stabilized apartments down to 72, for a loss of 268), 50 Battery Place (208 protected units to 51, or a decline of 157), and 70 Battery Place (166 affordable homes, down to 43, for a loss of 123).

Matthew Fenton

YOUR
DOWNTOWN
EXPERT

Long-time Resident, Investor
and Real Estate Advisor

Buying or Selling?

LEARN MORE

Douglas Elliman

CK

THE
CHRISTINA
KREMIDAS

TEAM AT DOUGLAS ELLIMAN REAL ESTATE

Letter

To the editor,

Unfortunately, I don't think I can make the BPC Resiliency presentation on September 18, but if I were there, I would ask the following:

What are the latest projections for sea level rise in 2100, plus anticipated storm heights? Is the project's plan for elevation scalable to meet the 2100 projections, if necessary? If so, what would be the estimated cost of such a buildout and how long would it take?

I believe that there is a pattern of disregarding inconvenient facts by all authorities to reduce overall resiliency costs and to promote an unjustified confidence in the current construction.

Louis Kleinman



Castles in the Air

Plan for 5G Towers in Lower Manhattan Stirs Opposition

A plan by the City's Office of Technology and Information to install seven Link5G poles, each more than 30 feet tall, on publicly owned sidewalks in the Financial District and Tribeca is sparking pushback from community leaders. The poles, which contain antennas and transmitters that will enable high-speed wireless connectivity, are part of the City's controversial LinkNYC program, which began installing outdoor nine-foot-tall internet kiosks in Manhattan in 2015, mostly in locations formerly occupied by pay telephones. Two years ago, this rollout was reprised with the debut of 5G poles, which are designed to offer improved cellular service, free Wi-Fi, and enhanced options for in-home broadband internet access to residents whose homes are located near the towers. But the program has been marked by setbacks and criticism. [Read more...](#)

Caroline Ibarra

From: Dorothy Lipsky <dorothylipsky@gmail.com>
Sent: Friday, October 4, 2024 1:28 PM
To: nwbpcrinfo@bpca.ny.gov
Subject: Disability Issues

PLEASE

be considerate about MULTIPLE disability issues!!

I would be pleased to help you meet to discuss the issues with persons of various disabilities.

Dorothy

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

Caroline Ibarra

From: Cole McBride <colemcbride@me.com>
Sent: Monday, October 7, 2024 10:39 PM
To: nwbpcrinfo@bpca.ny.gov
Subject: Opposition to the BPC Resiliency Project

Dear Officials,

We are residents of lower Manhattan and very strongly oppose the resiliency project because: the construction would transform this idyllic, peaceful place into a noisy, dusty place to avoid (we have enough of those areas in the city) and the financial implications of all of this planning for a scenario that may never come when we have homelessness problems, out of control crime, infrastructure upgrade needs, the list is nearly endless.

This amounts to insurance for the future against a potential (currently unknown) problem. We have existing problems in this city that require our attention and funds.

We strongly oppose this measure.

Cole McBride
12 Wooster Street
Apartment 2
New York, NY 10013
314.737.1004 mobile

“The love that you withhold is the pain you carry lifetime after lifetime.” Alex Collier

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.



October 1, 2024

SUBMITTED TO:

BPCA, NW RESILIENCY TEAM @ nwbpcrinfo@bpca.ny.gov

Comments on the North/West Battery Park City Resiliency Project Draft Environmental Impact Statement (DEIS)

October 1, 2024

The following comments reflect the Public Concerns from the Hudson River Park Advisory Council (HRP AC). The HRP AC was established to provide advice and recommendations to the Board of the Hudson River Park Trust regarding all matters concerning the planning, design, construction, and operation of Hudson River Park.

The HRP AC is deeply concerned that the Draft Environmental Impact Statement (DEIS) for the North/West Battery Park City (BPC) Resiliency Plan fails to adequately address the project's impact on encroachment and water quality within the designated estuarine sanctuary in Hudson River Park.

On September 12, 2023, the North/West BPC Resiliency Plan team presented the proposed plan to the HRP AC. At the 30% design phase, the plan had significant above-ground and in-water impacts on Hudson River Park that lacked broad support. The Council appreciates the subsequent design changes, including moving the alignment north of Chambers Street to the east side of Route 9A, which addressed many of the concerns raised.

After these changes more information was released with the DEIS on August 28, 2024; while not all the information has been shared, the updated plan still involves discharging untreated rainwater and floodwater from street surfaces into the Hudson River Estuary. The HRP AC remains highly concerned about the negative impact this will have on water quality and habitat within the estuarine sanctuary, due to increased volume of the combined sewer overflow (CSO) discharges. The Estuary is an environmentally sensitive water body that must be protected.

After decades of work to protect the Hudson River Park Estuary, culminating in its designation as a sanctuary, it is unacceptable to increase untreated discharges into this area, especially to a corner with poor water circulation and extensive recreational use, such as sailing and kayaking.

The HRP AC urgently demands that the BPCA address the following concerns in the Final Environmental Impact Statement (FEIS) and the project:

1. ****Alternative Water Runoff Solutions****: Consider alternative means of managing runoff from Battery Park City, such as capturing and routing it to a wastewater treatment facility.
2. ****Rerouting CSO Discharges****: Explore the possibility of connecting to a CSO that discharges further west into the Hudson River, thereby avoiding the estuarine sanctuary.

3. ****Tertiary Study****: Conduct a thorough study to evaluate and incorporate the additional measures required to protect and mitigate impacts on the sanctuary.
4. ****Mooring Area Protection****: The proposed structure overlaps with the mooring area, which the HRP AC believes would reduce public access and benefit. Any reduction in mooring spaces is unacceptable.
5. ****Long-term Funding Commitment****: The HRP AC seeks a commitment from BPCA for long-term funding to be provided to the Hudson River Park Trust to ensure adequate maintenance of the new structures.

Given the potential impacts on the Estuary and southern Hudson River Park, it is imperative that the North/West Battery Park City Resiliency Project include substantial mitigation measures to protect and enhance the estuarine sanctuary.

Thank you for this opportunity to provide public comment.

Respectfully from the Chair, 1st Vice Chair, and 2nd Vice Chair of the Hudson River Park Advisory Council,

Tammy Meltzer, Chair



Jessica Chait, CB4, 1st Vice Chair



Susan Kent, CB2, 2nd Vice Chair



CC:

Noreen Doyle, President & CEO Hudson River Park Trust

Caroline Ibarra

From: Michael Miele <miefoh@mac.com>
Sent: Wednesday, September 18, 2024 7:20 PM
To: nwbpcrinfo@bpca.ny.gov
Subject: Resiliency

The North Cove plaza is the heart of BPC and supplies much of the character of complex. This aspect of the reconstruction is scheduled to last 5 years. Will this area be totally blocked off from pedestrians or will there be passageways that can be used?

Thank you,
Michael Miele
355 South End Ave
Apt 26b

Sent from my iPad

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

Caroline Ibarra

From: The City Club NY <cityclubny@gmail.com>
Sent: Monday, October 7, 2024 1:45 PM
To: nwbpcrinfo@bpca.ny.gov
Subject: City Club of New York: Battery Park City Resiliency Project
Attachments: BPC Resilience. City Club of NY.2024..pdf

Good Afternoon,

The City Club of New York, founded in 1893, is one of the oldest civic organizations in New York City. Our mission is to promote sound urban policy and protect the city's essential character. As a member of the executive committee of the Hudson River Park Advisory Council, the City Club is concerned that the DEIS for the North/West Resiliency Battery Park City (BPC) Resiliency Plan fails to adequately assess the project's impact on water quality in the New York State Department of Environmental Conservation's designated estuarine sanctuary within the Hudson River Park. Attached is our detailed position statement on the issue. We appreciate your review and consideration of our recommendations.

Best,

Rachel Miller
Executive Administrator

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.



October 29, 2024

Via E-Mail to nwbpcrinfo@bpca.ny.gov

Claudia Filomena
Battery Park City Authority
200 Liberty Street, 24th Floor
New York, NY 10281
att: North/West BPC Resiliency Project Team

**RE: Alternatives to Combined Sewer Discharges from
North/West Battery Park City Resiliency Project**

Dear Ms. Filomena:

Riverkeeper, Inc. (“Riverkeeper”) respectfully submits the following comments on the Battery Park City Authority’s (“BPCA”) Draft Environmental Impact Statement (“DEIS”) for the North/West Battery Park City Resiliency Project (“BPCRP”). Riverkeeper strongly supports onshore storm surge and flooding protections for New York City like the proposed BPCRP. However, we are concerned that the project as designed would pump collected stormwater drainage into the existing combined sewer system that discharges combined sewer overflows (“CSOs”) to the Hudson River Park Estuarine Sanctuary.¹

Riverkeeper is a member-supported watchdog organization dedicated to protecting and restoring the Hudson River from source to sea and safeguarding drinking water supplies through advocacy rooted in community partnerships, science, and law. For more than 50 years, Riverkeeper has defended the Hudson River Estuary, its fisheries, and the entire Hudson River ecosystem. We have stopped polluters, championed public access to the river, influenced land use decisions, and restored habitat, benefiting the natural and human communities of the Hudson River and its watershed. We have a seat on the Hudson River Park Technical Advisory Committee and helped develop the Estuarine Sanctuary Management Plan Action Agenda.

¹ NORTH/WEST BATTERY PARK CITY RESILIENCY PROJECT, DRAFT ENVIRONMENTAL IMPACT STATEMENT PROJECT DESCRIPTION 1-19 (Aug. 2024) [hereinafter PROJECT DESCRIPTION], https://media.bpca.ny.gov/wp-content/uploads/2024/08/28173645/1.0_Project-Description.pdf.

If the BPCRP moves forward, the BPCA is required to modify the existing drainage infrastructure in order to meet the Federal Emergency Management Agency flood protection certification requirements.² To accomplish this, BPCA proposes to construct a 60 million gallon per day pump station to pump drainage to Combined Sewer Outfall NC-073 during storm events.³

In the combined sewer system, sanitary wastewater from homes and businesses are collected in the same conveyance system as storm runoff from sidewalks, streets and private properties.⁴ When there is heavy rainfall, wastewater and stormwater exceed the capacity of the system, resulting in discharges of excess wastewater, known as CSOs, into the Hudson River.⁵ These CSOs impair water quality; they contain untreated human waste, ammonia, pesticides, petroleum products, toxins, and pathogenic microorganisms.⁶ The Hudson River Park Estuarine Sanctuary provides critical habitat to over eighty-five species of fish, and is also a vital migration corridor for birds and other wildlife.⁷ Ongoing CSOs put the health of this ecosystem in danger.

Currently, outfalls NC-072 and NC-073 discharge combined sewer overflow directly into the Hudson River.⁸ NC-072 discharges roughly 5 million gallons per year to North Cove Marina. Such discharges occur 19 times per year and are triggered by 0.57 inches of rainfall. Similarly, NC-073 discharges roughly 20 million gallons per year to the Hudson River Park Estuarine Sanctuary just north of Battery Park City at Harrison Street. These discharges occur 27 times per year and are triggered by 0.5 inches of rainfall.⁹

Although the DEIS concludes that there will be no overall volumetric increase in stormwater entering the city's sewer system,¹⁰ it is unclear whether the project will cause any change in discharges from either of these outfalls, and to what degree. We are concerned that the new pump station capacity could potentially discharge in a *single day* the equivalent three times the current *yearly* discharge from outfall NC-073. Therefore, we urge BPCA to identify in the final environmental impact statement what volumetric changes in discharges from each outfall might occur. Any increased CSO discharges could have significant impacts on local waters, especially where there is an embayment that is sheltered from tidal flushing, such as between the

² NORTH/WEST BATTERY PARK CITY RESILIENCY PROJECT, DRAFT ENVIRONMENTAL IMPACT STATEMENT, WATER AND SEWER INFRASTRUCTURE 3.7-5 (Aug. 2024) [hereinafter WATER AND SEWER INFRASTRUCTURE], https://media.bPCA.ny.gov/wp-content/uploads/2024/08/28162923/3.7_Water_and_Sewer_Infrastructure.pdf.

³ *Id.* at 3.7-7.

⁴ *Combined Sewage Overflows (CSOs)*, RIVERKEEPER, <https://www.riverkeeper.org/campaigns/stop-polluters/sewage-contamination/cso/#:~:text=More%20than%2027%20billion%20gallons,York%20Harbor%20alone%20each%20year> (last visited Oct. 17, 2024).

⁵ *Id.*

⁶ *Id.*

⁷ *River Sanctuary*, HUDSON RIVER PARK, <https://hudsonriverpark.org/the-park/river-sanctuary/> (last visited Oct. 17, 2024).

⁸ Open Sewer Atlas NYC, *New York City CSO - Combined Sewer Overflow*, TUMBLR, <https://openseweratlas.tumblr.com/wetweathermap> (last visited Oct. 28, 2024).

⁹ *Id.*

¹⁰ WATER AND SEWER INFRASTRUCTURE, *supra* note 2, at 3.7-8.

northern portion of Battery Park and Pier 25 or in the North Cove Marina. These embayments have low circulation, which compounds the effects of CSOs.

Riverkeeper also urges BPCA to consider alternative solutions instead of directing drainage to the Estuarine Sanctuary through the CSO system. One solution would be to connect the pump station to the separate sewer system to reduce or eliminate the CSO discharges to the area. While the polluted stormwater should still be treated to remove pollutants, such a modification to the plan would reduce the CSO discharges to the Estuarine Sanctuary.

In addition while we appreciate that the BPCRP will incorporate a significant amount of green infrastructure and impervious pavement,¹¹ we urge you to fully consider additional green and gray infrastructure proposed in the City Club's comment letter dated October 4, 2024.¹² The City Club's prudent requests include cloudburst infrastructure, such as sunken park amenities to capture and hold stormwater, porous surfaces to allow for infiltration, and detention tanks to prevent or slow runoff from entering the CSO system. These infrastructure improvements, taken together or separately, would improve water quality in the estuarine sanctuary in perpetuity.

Thank you for your consideration of our comments.

Sincerely,



Casey Hellman

Legal Fellow*

Riverkeeper, Inc.

*Bar admission pending

Cc (via email):

Noreen Doyle, President, Hudson River Park Trust

¹¹ PROJECT DESCRIPTION, *supra* note 1, at 1-14 to 1-18.

¹² Memorandum from Kent Barwick, Chairman, and Layla Law-Gisiko, President, The City Club of New York, North/West Battery Park City Resiliency Project Environmental Impact Statement (DEIS) (Oct. 4, 2024).

October 7, 2023

Battery Park City Authority
200 Liberty Street, 24th Floor
New York, NY 10281

ATTN: North/West Battery Park City Resiliency Team:

I am reaching out on behalf of Stellar Management to provide feedback on the Draft Environmental Impact Statement for the North/West Battery Park City Resiliency (NWBPCR) Project.

This letter provides Stellar Management's feedback on the Draft Environmental Impact Statement for the North/West Battery Park City Resiliency (NWBPCR) Project. We appreciate the opportunity to be part of the process to ensure our community and the rest of lower Manhattan is prepared for the impacts of climate change.

While we are concerned about the traffic, noise, and open space impacts that will result from this project, we recognize that these are temporary.

Therefore, our feedback below focuses on our concerns that the current plan for the NWBPCR Project is not the best or safest alternative for Independence Plaza residents and building employees. We have raised these concerns about possible long-term impacts to the Independence Plaza community previously and they have not been addressed, so we want to make sure they are not ignored as plans for the project move forward.

Our three primary concerns are:

1. **The proposed flood walls may interfere with evacuation and emergency response.** Nearly 3,000 people live at Independence Plaza, including roughly 900 in 80 N. Moore Street. Many of these residents are seniors and a significant number have limited mobility.

During a fire or other emergency that requires evacuation, they need to be able to exit efficiently and rapidly move away from the building. In past emergency situations, we have seen that any narrowing of egress pathways hindered residents' ability to safely and quickly move away from the building.

The proposed floodwall design appears to create additional choke points that could slow evacuation and may also prevent firefighters, EMS, and other emergency personnel from reaching the building quickly or positioning themselves in the ideal places on the street to respond during an emergency.

2. **The flood walls could interfere with day-to-day building operations.** On a typical day at Independence Plaza, trash is removed from buildings for collection; trucks pull in and out to make deliveries; construction companies bring in supplies for renovations; and maintenance is often moving stoves, refrigerators, and other appliances from one building to another.

N. Moore Street is as important as the lobby for these activities. The proposed design would make the already tight openings along N. Moore Street even more difficult to navigate, creating logistical challenges and possible safety issues for our residents, employees, and vendors.

3. **The flood walls will have a large visual impact to the streetscape.** Our residents will have to endure years of torn up streets, construction noise, limited availability of parking, and quality

of life impacts during construction of the NWBPCR. It is important that at the end of this process they are not left with a permanent eyesore at the base of their home.

To minimize the visual impacts this project will have on Independence Plaza and the surrounding streetscape, we encourage you to incorporate deployable walls rather than fixed walls wherever possible and to incorporate planters and other elements that enhance the pedestrian experience into the final design. We also urge you to consider narrowing N. Moore Street to provide more space for pedestrians and building operations as well as additional greenery along the sidewalk.

Thank you for the opportunity to provide feedback. We look forward to learning more about how you plan to avoid the potential negative impacts on the Independence Plaza community we have raised and to working together to protect Lower Manhattan from the impacts of climate change without unfairly burdening the residents of Independence Plaza and our neighbors.

Sincerely,



Benjamin Rubenstein, VP Development, Stellar Management

Caroline Ibarra

From: Richard B Singer <singertravel932@gmail.com>
Sent: Monday, October 7, 2024 8:52 PM
To: nwbpcrinfo@bpca.ny.gov
Subject: Northwest Resiliency Project

In response to your proposal, we have just learned of this project. We disagree with this proposal. We recently moved into the Solaire building and one of the reasons we bought this property has to do with its proximity to the Hudson River.

This view upon leaving the front of the building is superb and it seems that your building a wall to hide this will detract and affect the value of our property.

We regret we did not know of this proposal prior to our purchase.

Was the value of properties taken into consideration when launching this project?

Thank you

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

Caroline Ibarra

From: Sarah Smedley <ssmedley@mindspring.com>
Sent: Monday, October 7, 2024 10:46 AM
To: nwbpcrinfo@bpca.ny.gov
Subject: Questions/cpmmnts NWBPCR DEIS hearing on 9/18/24

Hello,

I attended the DEIS hearing on September 18, 2024 in person. I have the following questions:

TIMING

What is the timing and sequence of commencement on each area of Battery Park City?

Will the areas commence simultaneously or in phases? Which phases come first?

NOTICE

Will you provide advance notice of construction commencement; HOW LONG before construction commences will we be notified? How will we be notified?

Will you provide advance notice of ROAD CLOSURES; HOW LONG before closure commences will we be notified? How will we be notified?

ACCESS

What are the impact/potential entry closures of Brookfield Place?

What is the impact/closure of ferry terminal?

What is the impact/closure to South End Avenue?

NOISE

What are the hours of construction work?

Where are the construction vehicles entering and exiting?

How often are the construction vehicles entering each day?

Will construction occur on weekends?

FENCING

What are the construction fences going to look like?

SECURITY

What are the mitigation plans for potential security issues, such as potential for crime and shelter for homeless around the fenced areas of construction?

Will NYPD or Turner be responsible for security for residents/tourists/visitors?

LIGHTING

What are plans for lighting the construction areas in dusk and at night?

SIGNAGE

Will there be adequate noticeable signage, readable in different languages, for visitors and tourists to navigate around construction areas?

AESTHETICS/Neighborhood character

What is the impact on Public art/sculpture? Will sculptures/artwork be deconstructed? Will the artwork be replaced? Will the artists be informed? Will the public be informed?

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

Caroline Ibarra

From: Anais Alexandra <anaisalexandrat@gmail.com>
Sent: Monday, October 7, 2024 10:04 PM
To: nwbpcrinfo@bpca.ny.gov
Subject: North/West Battery Park City Resiliency Project

As a resident of Battery Park City for the last two decades, I vehemently object to this resiliency project. I know that while many residents of BPC are not paying attention to this project, most of us object to it.

The modeling upon which the climate predictions are based is not dependable: one cannot overhaul a whole community over models that are not data-driven. And climate modeling is not an exact science. It is being used as a scare tactic to encourage people to go along with projects like this that are highly lucrative for those involved in the construction side and highly destructive for those who will have to live with the process.

Because yes, this “resiliency” project will cause the community to suffer by adding to the already overwhelming noise pollution we suffer in this neighborhood; and this neighborhood is teeming with young children who will be very adversely affected by the inevitable pollution caused by the construction (as well as by the noise).

We are all owed transparency in understanding what companies and what officials this project benefits directly, because we residents (and the citizens who visit this neighborhood in droves) know that this resiliency project is an unnecessary burden for our community.

My family and I vehemently oppose it.

Anaïs Tekerian
Tribeca Park

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.



MANHATTAN YOUTH

Bob Townley
Founder and Executive Director

September 17, 2024

It is important for me to support the North/West Battery Park City Resiliency Project. The draft EIS is an accurate document and necessary to be implemented.

Our organization since the 1986 has been a resource for families. Our community and city are fortunate to have such resources to protect us from rising sea levels.

The barriers are intended to protect Tribeca at N. Moore Street along West Street and then over into the North End of Battery Park City where it would protect The Downtown Community Center and to that area of Tribeca. (Whole foods, PS 234, Various Preschools)

Hurricane Sandy's rushing waters were 20 feet high as it caused 2 million dollars of damage in our community center. The water rose from The Hudson River at Harrison Street just south of Pier 25. The waters then flooded West Street and went up the block to 200 Chambers /120 Warren and our center. Thankfully, no one was killed in our facility as the waters rushed in. Others perished in Tribeca.

Other important institutions in the North End of our neighborhood would also be protected. Stuyvesant High School, PS / IS 89. The Asphalt Green and of course the only ballfield in community board one. Our organization linked to these very important institutions and any significant delay in rebuilding to them would be devastating. So, let's protect them.

Caroline Ibarra

From: Eric Munson <eric.munson@bpca.ny.gov>
Sent: Tuesday, September 17, 2024 12:15 PM
To: Bob Townley
Cc: Northwest Resiliency
Subject: RE: SAVE THE DATE: 9/18 North/West Battery Park City Resiliency Project DEIS Public Hearing

Great—thanks so much, Bob. We appreciate it.

If the mood strikes and you or someone on your team would like to deliver these over Zoom tomorrow evening, the registration link is below.

Thanks again, and best wishes.

[Sign up for the public hearing here](#)

From: Bob Townley <bob@manhattanyouth.org>
Sent: Tuesday, September 17, 2024 9:03 AM
To: Eric Munson <eric.munson@bpca.ny.gov>
Subject: RE: SAVE THE DATE: 9/18 North/West Battery Park City Resiliency Project DEIS Public Hearing

Hi Eric

I can submit a written statement .

Here is what I would write.

The barriers are intended to protect Tribeca at N, Moore Street . along West Street and then over into the North End of Battery Park City where it would protect flood waters from coming over to the Downtown Community Center and to that area of Tribeca.

The flood of Hurricane Sandy caused 2 million dollars and twenty-foot-high waters in our community center. The water rose from The Hudson River at Harrison Street just south of Pier 25. The waters then flooded west Street and went up the block mid-way flooding 200 Chambers and our center as part of that building with an entrance and parking garage at 120 Warren.

Other important institutions in the North End of our neighborhood would also be protected . Stuyvesant High School , PS / IS 89 . The Asphalt Green center and of course the only ballfield in community board one. Our organization is linked to

these very important institutions and any significant delay in rebuilding them would be devastating . So, lets protect them.

Eric , If you have any comments please let me know .

Best Wishes

Bob Townley

Founder and Executive Director

347 429 7755

For More Info Visit Our Website, manhattanyouth.org

Follow us, @ManhattanYouth on [Facebook](#) | [Instagram](#)

Your Contributions Make a Difference!

Donations are a powerful tool that allows us the opportunity to continue providing high-quality programming and resources to our community.

Consider a contribution today and help us achieve our mission to bring joy and support to families all over New York City.

[Click Here To Support Our Programs With A Donation](#)

From: Eric Munson <eric.munson@bpca.ny.gov>

Sent: Monday, September 16, 2024 6:20 PM

To: Bob Townley <bob@manhattanyouth.org>

Subject: Fw: SAVE THE DATE: 9/18 North/West Battery Park City Resiliency Project DEIS Public Hearing

[EXTERNAL]Email from outside of MY

Hi Bob,

Hope you've been doing well and enjoying your summer. I wanted to make sure you saw the note below—we're making great progress advancing designs on the North/West BPC Resiliency project, which will protect Manhattan Youth's facility once complete.

Given all you folks went through during Sandy, would your team be interested in sending someone to provide a brief (< 3 min) statement of support on the project?

I'd be happy to run you through the designs and answer any questions you may have in a separate discussion (per law, Wednesday's event is just for a brief presentation and then public comment).

Thanks and best wishes,

Eric

From: Battery Park City Authority <info.bpc@bpca.ny.gov>

Sent: Tuesday, September 10, 2024 4:33 PM

To: Eric Munson <eric.munson@bpca.ny.gov>

Subject: SAVE THE DATE: 9/18 North/West Battery Park City Resiliency Project DEIS Public Hearing



The North/West Battery Park City Resiliency Project (NWBPCR) will provide protective measures along the northern and western portions of Battery Park City to reduce the risks associated with storm surge and sea level rise.

[Sign up for the public hearing here.](#)

As part of the State Environmental Quality Review (SEQR) Act, BPCA has prepared a Draft Environmental Impact Statement (DEIS), which analyzes the potential environmental impacts of the proposed NWBPCR. In compliance with the SEQR Act, BPCA has made the North/West Battery Park City Resiliency Project DEIS available for public review and comment.

[You can access all DEIS documentation here.](#)

BPCA is hosting a hybrid public hearing on the DEIS on [Wednesday, September 18, 2024](#), starting at 6:00 PM at Stuyvesant High School and virtually over Zoom. The hearing is part of the public comment period for the DEIS, which starts on August 28, 2024, and ends on October 7, 2024 (extended from September 28, 2024). This hearing does not include a question-and-answer session; questions received as part of testimony will be addressed in the Final Environmental Impact Statement (FEIS) later this year.

Submit your comments about the DEIS to nwbpcrinfo@bpca.ny.gov.

To Register, Click the button below.

Registration



Copyright © 2024 Battery Park City Authority, All rights reserved.
You're receiving this email because you opted in at one of our events.

Our mailing address is:

Battery Park City Authority
200 Liberty Street, 24th Floor
New York, NY 10281

[Add us to your address book](#)

Want to change how you receive these emails?
You can [update your preferences](#) or [unsubscribe from this list](#)





This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.

From: Daniel Wolfe <danielwolfe06@gmail.com>
Sent: Friday, October 4, 2024 12:52 PM
To: North West Resiliency Project
Subject: DIES Commnets

The neighborhood will experience severe unmitigated adverse effects that are not equitable.

3.11.7 Locations would experience construction noise levels of a magnitude and duration that would constitute significant adverse impacts.

3.11.8 Therefore, since several of these defining features of neighborhood character would have the potential for significant adverse impacts, the Proposed Project is expected to result in significant adverse neighborhood character impacts during the construction period.

6.0 Overall, this is not equitable to the citizens of BPC. I do not support this project as BPC is largely elevated (and buildings were significantly impacted by Sandy) and I do not feel the cost (paid for by our PILOT taxes), quality of life disruptions, and impact on home values and liquidity are justified. To my knowledge there is no data on the INCREASE in elevation and added protection at specific locales, so the marginal benefits are unclear while the marginal cost is enormous, both in terms of impact to the neighborhood as specified in your report, as direct financial costs. If this project must go forward BPC residents experiencing unmitigated adverse effects should be considered and compensated financially or otherwise for a project that does not provide clear benefits.

This communication originated from an external source and did not originate from within BPCA. Please exercise caution when opening attachments or clicking links contained in this message.
